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JAN 13, 1981 -

URBAN/MUNICIPAL

AGENDA / MINUTES OF
THE COUNCIL OF THE
CITY OF HAMILTON




2nd FL

MEETING OF CITY COUNCIL

January 13, 1981

A G E N D A

- A Finance Committee
- B Legislation Committee
- C Parks and Recreation Committee
- D Planning and Development Committee
- E Transport and Environment Committee
- F Personnel Committee
- J By-laws



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REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:-

The Finance Committee presents its SECOND Report and respectfully recommends:-

1. For the information of the Members of City Council, the Finance Committee has established the following sub-committees:-

(a) Capital Budget Committee

One Member of City Council - Alderman I. Stout
City Treasurer as Chairman
Members - City Solicitor, City Engineer, Traffic Commissioner
and Director of Local Planning
A member of the Treasury Department staff as Secretary

(b) Depreciation Committee

Two Members of City Council - Aldermen D. Gray & R. Wheeler
City Treasurer as Chairman
Members - Director of Purchases, City Garage Superintendent
A member of the Treasury Department staff as Secretary

(c) Grants Committee

Two Members of City Council - Aldermen P. Peterson & H. Merling
R. M. Collier as Secretary

(d) Purchasing Committee

Two Members of City Council - Aldermen V. Agro & K. Edge
Director of Purchases as a member and Secretary

2. Approval of the appointment of the members of the Finance Committee as the members of the Hamilton Theatre Auditorium Foundation with Mr. W. H. McFarland as Treasurer and Mr. R. M. Collier as Secretary.

NOTE: For the information of the Members of City Council, these appointments are being recommended on a temporary basis simply to wind up the Hamilton Theatre Auditorium Foundation which is considered to have concluded its responsibilities in the raising of funds for Hamilton Place and because the Hamilton Performing Arts Corporation Inc. has established its own procedures for the receipt of any additional donations.

3. Approval of the payment of Accounts and Paylists for the month of November 1980 in the amount of \$23,813,865.58.
4. In accordance with subsection (d) of Section 4 of the First Report of the Finance Committee adopted by City Council, December 9, 1980, in which the City Treasurer was authorized to approve all reasonable requests for overdrafts and transfers, subject to formal approval of the Finance Committee and/or City Council early in 1981, it is recommended that the list of overdrafts and transfers outlined in a report from the City Treasurer dated January 6, 1981 in the total amount of \$41,500.00 be approved. Submitted with this agenda is a copy of the report of the City Treasurer dated January 6, 1981.
5. Members of City Council are advised that a temporary office for the Chief Administrative Officer is being established in the Mayor's Reception Room. It is therefore recommended that the Property Maintenance Superintendent be authorized to proceed with the installation of telephone connections in the estimated amount of \$1,450.00 and that the 1981 Estimates of the Property Department be increased accordingly and that the Deputy City Clerk be authorized to proceed with the purchase of a typewriter and two four-drawer filing cabinets at an estimated cost of \$1,820.00 and that this acquisition be charged to Account No. 0324-0171 and further that the Deputy City Clerk be authorized to proceed with the rental of a desk and chair estimated at \$50.00 per month with the cost to be charged to Account No. 0324-0183.
6. Approval of the awarding of the following contracts:-

- (1) CONTROL DATA CANADA LTD., Scarborough, Ontario.

Treasury Department

Stock Tabulating Paper, in accordance with specifications issued by the Director of Purchases and Vendor's Tender as follows:

	<u>Price Per M Including Federal Sales Tax.</u>
8 1/2 x 11, 1 Part	\$ 5.83
8 1/2 x 11, 2 Part	13.86
8 1/2 x 11, 3 Part	20.21
8 1/2 x 11, 4 Part	29.82
8 1/2 x 13, 1 Part	6.53
8 1/2 x 13, 2 Part	16.08
8 1/2 x 13, 3 Part	25.87
8 1/2 x 14 7/8, 1 Part	7.00
8 1/2 x 14 7/8, 2 Part (Carbonless)	18.10
8 1/2 x 14 7/8, 3 Part (Carbonless)	26.32
8 1/2 x 14 7/8, 4 Part (Carbonless)	38.27
11 x 8 1/2, 1 Part	5.83
11 x 8 1/2, 2 Part	13.86
11 x 15, 1 Part	8.90

Ontario Retail Sales Tax Extra at 7%.

Note: Lower of 2 tenders.

(2)

UNDERWOOD'S SHOES LTD., Ingersoll, Ontario.

Purchasing Stores

Supply and delivery of Safety Shoes & Boots for 1981, in accordance with specifications issued by the Director of Purchases and Vendor's Tender as follows:

Safety Shoes #332 - \$29.00 Pair
Kaufman #296 6" Safety Boots - \$31.62 Pair
Kaufman #291 8" Insulated Safety Boots - \$41.90 Pair
Kaufman #294 8" Non-Insulated Safety Boots - \$35.45. Pair
Winter 10" Safety Boot #A00541M - \$24.10 Pair

Ontario Retail Sales Tax Extra at 7% where applicable.

Note: Lowest of 6 tenders.

(3)

THE MINER CO., Don Mills, Ontario.

Purchasing Stores

Supply and delivery of Rubber Footwear for 1981, in accordance with specifications issued by the Director of Purchases and Vendor's Tender as follows:

Women's Snowmobile Boots \$1055 - \$17.12 Pair
Men's 10" Overshoes #3100 - \$10.40 Pair
Knee Rubber Boots #149 - \$17.20 Pair
Hip Rubber Boots #159 - \$26.65 Pair

Note: Lowest of 6 tenders.

(4)

HONEYWELL LTD., Hamilton, Ontario.

Property Department

Servicing & Maintenance of Electrical Controls for 1981 at the following locations:

Central Fire Station	\$10,648.00	Per Year
Garth Street Fire Station	996.00	" "
Woodward Ave. Fire Station	268.00	" "
Ray & George Sts. Fire Station	268.00	" "
Mohawk Rd. Fire Station	256.00	" "
Kenilworth Composite Building	248.00	" "
Mountain Composite Building	510.00	" "
Health Building	1,086.00	" "
Football Hall of Fame	322.00	" "
City Hall	12,140.00	" "
King's Forest Golf Club	680.00	" "

J. Thompson Pool	\$ 1,356.00	Per Year
Central Memorial Centre	324.00	" "
Kiwanis Centre	290.00	" "
Huntington Park Centre	268.00	" "
Lawfield Arena	1,470.00	" "
Rosedale Arena	290.00	" "
H.A.A.A. Grounds	270.00	" "
Upper Ottawa St. Administration Building	356.00	" "
	<u>\$32,046.00</u>	

(5) UNION GARBIDE CANADA, Toronto, Ontario.

City Garage

Supply and delivery of 1 Tank Wagon (Approx. 10,230 Litres)
Ethylene Glycol Base Anti-Freeze including rust inhibitor
at \$1.21 Litre.....\$12,378.30

Note: Lowest of 3 quotations.

(6) GREENWAY SECURITY SERVICES LTD., Burlington, Ontario.

Various Departments

To provide Security Services for 1981 and 1982, in accordance with specifications issued by the Director of Purchases and Vendor's Tender as follows:

	<u>Price Per Hour For 1981</u>	<u>Price Per Hour For 1981</u>
Regular Services	\$ 5.00	\$ 5.40
Patrol Services	10.00	10.00
Security/Cleaner Services	5.00	5.40

Note: Lowest of 4 tenders.

(7) WESCO LTD., Hamilton, Ontario.

Various Departments

Supply and delivery of Electric Light Bulbs to various departments for the year 1981, in accordance with specifications issued by the Director of Purchases and Vendor's Tender at the Net Price shown, Federal Sales Tax Included, Ontario Sales Tax Extra @ 7%. Terms 2%/10, Net 30.

Total Estimated Contract \$22,702.48.

Discount for items not listed in tender - 58.2% & 33.5%.

Note: Lowest of 11 tenders.

(8)

HARWELL ELECTRIC SUPPLY LTD., Hamilton, Ontario.

Various Departments

Supply and delivery of Ballasts to various departments for the year 1981, in accordance with specifications issued by the Director of Purchases and Vendor's Tender at the Net Price shown, Federal Sales Tax Included, Ontario Sales Tax Extra @ 7%.
Terms 2%/10, Net 30.

Total Estimated Contract \$1,221.30.

Discount for items not listed in tender - 56% & 15%.

Note: Lowest of 11 tenders.

7. Members of City Council are advised that excess debenture issue revenue exists for the following projects:-

0407-21628 - Eastlawn (Sam Manson) Fieldhouse
(project completed October 17, 1977)

Ontario Municipal Board Order No. E 73886
Debenture By-law 62-74

Amount Issued	\$98,000.00
Amount Required	<u>96,179.40</u>

Surplus Debenture Funds	<u>\$ 1,820.60</u>
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0408-31259 Construction of Rosedale Arena
(project completed June 30, 1978)

Ontario Municipal Board Order No. H 5375
Debenture By-law 73-125 (73-123)

Amount Issued	\$650,000.00
Amount Required	<u>641,822.84</u>

Surplus Debenture Funds	<u>\$ 8,177.16</u>
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Total Surplus Debenture Funds \$ 9,997.76

It is recommended that the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for the transfer for these surplus debenture proceeds to be allocated to the following capital project:

<u>Account Number</u>	<u>O.M.B. No. Municipal General</u>	<u>Project</u>	<u>Total Surplus Debenture Funds Re-allocated</u>
0408-38506	E 781293	New Fire Station - north east corner of Barton Street East and Wentworth Street	\$9,997.76

8. Section 4 of the Second Report of the Parks and Recreation Committee requests the Finance Committee to recommend the method of financing the additional cost of \$220,000.00 for the construction of the Sir Allan MacNab Recreation Centre. This will increase the cost from \$1,560,000.00 to \$1,780,000.00. Members of City Council are advised that of the original estimate of \$1,560,000.00, no provision was made for the recovery of Provincial Subsidies which are estimated at \$150,000.00.

It is therefore recommended that the additional amount of \$220,000.00 be financed in the following manner:

- (a) That the City Solicitor make application to the Ontario Municipal Board to increase the gross cost of the project from \$1,560,000.00 to \$1,780,000.00 and
- (b) Because of the Provincial Subsidies estimated at \$150,000.00 the City Solicitor request the Ontario Municipal Board to increase the debenturing authority for this project from \$1,560,000.00 to \$1,630,000.00 for an increase of some \$70,000.00.

It is further recommended that application to be made to the Regional Municipality of Hamilton-Wentworth for consent to the issuance of additional debentures in the amount of \$70,000.00.

9. Section 5 of the Second Report of the Parks and Recreation Committee requests the Finance Committee to recommend the method of financing consultant's fees for major renovations to the Coronation Rink/Pool Complex at an estimated cost of \$22,000.00. It is recommended that this expenditure be financed from the 1980 Current Estimates.
10. That the Hamilton Street Railway Company be advised that for budget preparation purposes the City of Hamilton will continue their programmes (pensioner's bus passes, spcial adult tickets and student tickets) in 1981 on the same bases as in 1980, subject to any changes which may be made as a result of decisions reached by City Council following consideration of the 1981 Estimates.

11. With respect to the Neighbourhood Improvement Programme for the Kirkendall-Strathcona and the Gibson Neighbourhoods, it is recommended that the previous City Council authorizations be amended as follows:

KIRKENDALL-STRATHCONA - the total estimated cost be reduced from \$2,580,000.00 by \$200,000.00 to \$2,380,000.00 and that the amount of the authorized debentures be reduced from \$645,000.00 by \$50,000.00 to \$595,000.00.

GIBSON - the total estimated cost is to be increased from \$2,000,000.00 by \$200,000.00 to \$2,200,000.00 and that the amount of the authorized debentures be increased from \$500,000.00 by \$50,000.00 to \$550,000.00.

It is further recommended that the City Solicitor be authorized and directed to apply to Regional Council and the Ontario Municipal Board for approval of these changes.

12. Approval of the recommendation of the Administrative Committee that the PROPOSED LAND DISPOSAL POLICY of the Regional Municipality of Hamilton-Wentworth be endorsed subject to the recommendations of the Administrative Committee which have been incorporated into this proposed policy.

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

PROPOSED LAND DISPOSAL POLICY

That subject to the special cases indicated below that all land that is not required for purposes for which it was originally acquired be disposed of as follows:-

- I The lands be offered to other Regional departments or Boards and Commissions subject to any financial considerations as approved by Regional Council.
- II The lands be offered for sale at market value to the Area Municipality in which they are situated.
- III The lands be offered for sale at market value.
- ** IV The lands no longer required by the Region for the purpose they were originally acquired from an Area Municipality, should be returned to the Area Municipality from which the lands were acquired on the same cost basis as the lands were transferred to the Region.

Special Cases

1. Former Landfill Sites

That any existing landfill sites which were acquired by a local municipality before implementation of Regional Government be returned at no cost to the Area Municipality in which they are located when these lands are no longer required for Regional purposes subject to the following conditions: .

(i) That the site be given final cover and grading by the Region while any landscaping topsoil and improvements to the property will become the responsibility of the Area Municipality.

* (i) That the Region be responsible at its expense for giving the site final cover and grading and for rendering and maintaining the landfill site safe by installing and maintaining all necessary safety equipment such as vents, venting systems, equipment, special drains and disposal systems as well as all necessary supervisory procedures both before and after the reconveyance of the lands to the Area Municipality.

(ii) That any continuing debt or obligation against the property would be assumed by the Area Municipality.

* (ii) (a) That the Area Municipality assume payment of outstanding debenture debt, (if any) which the Area Municipality previously incurred for the purpose of acquiring the site previous to the vesting of the site in the Region by The Regional Act. It is understood therefore that such debenture would not include expense referred to in paragraph (i) above or expenses referred to in paragraphs (b) or (c) below.

(b) That all liability with respect to the landfill sites remain with the Region and that the Region provide the Area Municipality with an indemnity agreement satisfactory to the Area Municipality's solicitor, whereby the Region agrees to indemnify the Area Municipality from and against all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss and for all liability that may arise from the landfill sites and in particular with respect to the dangerous substances contained therein and escaping therefrom.

** (c) That the following indemnification clause also be included in all such reconveyances of landfill sites from the Region to an Area Municipality:

Notwithstanding this conveyance, The Regional Municipality of Hamilton-Wentworth, its successors and/or assigns, hereby agree to and will indemnify, save, defend and keep harmless from time to time and at all times, the Area Municipality, its successors and/or assigns, from and against all actions, causes of action, judgments, interest, claims, demands, costs, charges, damages, expenses and loss which the Area Municipality, its successors and/or assigns may at any time bear, incur, be liable for, sustain, or be put unto for any reason or on account of or by reason of or in consequence of the Area Municipality accepting this conveyance and becoming the owner of the lands described herein and conveyed and without restricting the generality of the foregoing, in particular with respect to and resulting from dangerous substances contained in, on or escaping from the lands described herein and conveyed.

(iii) Any special conditions the Region deems necessary.

*

(iii) deleted

2. Former Road Lands

(a) Where the road is deleted from the Regional Road System the road reverts back to the Area Municipality in which the road is situated.

(b) Where the road is closed or stopped up:

(i) The lands be offered to other Regional departments or Boards and Commissions subject to any financial considerations as approved by Regional Council.

(ii) The lands be offered to the abutting owner(s) at market value.

*

(iii) The lands be offered to the Area Municipalities in which the lands are situated at market value.

**

(iv) The lands be offered to the Area Municipalities in which the lands are situated at the same or greater price.

The above policy be subject to the special arrangements regarding land acquired for Regional roads from the Area Municipality.

3. Industrial Land

The land be disposed of in accordance with the policies established from time to time by Regional Council subject to any special arrangements with Area Municipalities.

*

Amendment recommended by the Administrative Committee.

**

Additional term recommended by the Administrative Committee.

It is further recommended that the City Clerk forward a copy of this resolution to the Clerk of the Regional Municipality of Hamilton-Wentworth.

13. City Council at its meeting held November 25, 1980, authorized the use of the former Sherman Avenue Police Station to the National Congress of Italian-Canadians - Hamilton District for the operation of a Community Centre for a period of approximately three weeks in order to co-ordinate the Southern Italy Earthquake Relief Fund with the City assuming the cost of maintaining this building for this three week period. The City of Hamilton has been advised that the relief work has not yet been completed and an extension to the tenancy is being sought until the purchase/sale agreement is completed. It is expected that this will take place in approximately one months time. It is therefore recommended that the tenancy to the National Congress of Italian-Canadians - Hamilton District for the use of the former Sherman Avenue Police Station be extended for an additional period of one month with the City of Hamilton to continue to assume the cost of maintaining this building during this additional one month period.

RESPECTFULLY SUBMITTED,

ALDERMAN P. O. VALERIANO,
CHAIRMAN, FINANCE COMMITTEE.

R. M. Collier, Secretary.
January 8, 1981.

REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its SECOND Report and respectfully recommends:

1. For the information of the members of City Council, the Legislation Committee has appointed or intends to appoint the following sub-committees to assist in carrying out its duties and responsibilities for the 1981-1982 term.

(A) TAX APPEAL SUB-COMMITTEE

- (i) A sub-committee composed of Alderman J. MacDonald, Chairman, Alderman P. Cowell, and any other one member of the Legislation Committee who is able to attend the Tax Appeal Committee meetings, to recommend to the Legislation Committee all tax reductions, and adjustments in regard to tax appeals.
- (ii) This sub-committee to be known as the Tax Appeal Committee.
- (iii) This sub-committee to meet at the call of the Chairman.

(B) STATUS OF WOMEN SUB-COMMITTEE

- (i) A sub-committee composed of Alderman J. MacDonald, Alderman P. Drage, and ten (10) citizen members to recommend to the Legislation Committee all matters pertaining to the Status of Women.
- (ii) This sub-committee to be known as the Status of Women Committee.
- (iii) This sub-committee to elect its own Chairman and to meet at the call of the Chairman.

(C) CONVENTION GRANTS SUB-COMMITTEE

- (i) A sub-committee composed of Alderman J. MacDonald, Chairman, Alderman P. Valeriano, Vice-Chairman, and Alderman F. Lombardo, to recommend to the Legislation Committee all matters pertaining to civic awards; receptions and entertainment of a public character; and the City's financial participation in conferences and conventions.
- (ii) This sub-committee to be known as the Convention Grants Committee.
- (iii) This sub-committee to meet following the Legislation Committee meetings.

LEGISLATION

2. That the City Solicitor be authorized and directed to prepare an amendment to By-law #4798 to:
 - (a) Delete from By-law #4798 requirements with respect to the minimum ceiling height for cellars or basements used as a place of assembly since The Ontario Building Code applies and supersedes said By-law respecting the same subject.
 - (b) Delete from By-law #4798 requirements with respect to the use of premises as a producers market since The Ontario Food Premises Regulations made under The Public Health Act, apply and supersede the said By-law respecting the same subject.
3. That the City Solicitor be authorized and directed to prepare an amendment to By-law #1 to delete references to the Board of Control and to substitute new standing committees in the place and stead of the committees established prior to December 1, 1980.
4. That the Legislature of the Province of Ontario be petitioned to amend sub-section 6 of Section 383 of The Municipal Act to read as follows:

383. By-laws may be passed by the councils...

6. For regulating, licencing, governing, classifying and inspecting, subject to the provisions of The Theatres Act, exhibitions for hire or gain, theatres, music halls, bowling alleys, moving picture shows, public halls and all places of amusement, and for limiting the number of such licences to be granted, and for prohibiting the location of them, or a particular class of them, on land abutting on any highway or part of a highway to be named in the by-law, and for revoking any such licence.

- (a) a place of amusement includes a place in which are located pinball machines or other amusement machines.

NOTE: For the information of the members of City Council, the number of pinball machine complaints and problems emanating from these establishments have substantially increased within the last year. At the present time, the City has very little control over these operations and with the above proposed amendment being approved by the Provincial Government it is felt that these problems could be effectively curtailed.

CITY HALL FACILITIES

5. Approval of the action of the Legislation Committee is authorizing the Special Events Committee to use the City Hall Forecourt for the purpose of staging the annual New Years' Eve celebration.

6. Approval of the application of the Women's Inter-Church Council of Hamilton to use the City Hall Council Chambers for their annual World Day of Prayer Service to be held on Friday, March 6, 1981 at 12:15 p.m.

OTHER

7. Approval of the application of the German Canadian Mardi-Gras Association to use the City Crest on the letterheads and program designed for the dedication of "Hamilton as the Mardi-Gras Capital of Canada" to take place in February of this year.
8. That leave be granted to introduce the following bills:
 - (a) Bill B-5 -- By-law to amend By-law No. 4798 Respecting Ceiling Heights in Places of Assembly in Basement or Cellars and Producers Market Requirements.
 - (b) Bill B-6 -- By-law to amend By-law No. 1 Respecting Standing Committees.

Respectfully Submitted,

ALDERMAN J. MACDONALD, CHAIRMAN

S.G. Hollowell, Secretary
December 16, 1980.

REPORT OF THE LEGISLATION COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its THIRD Report and respectfully recommends:

GRANTS AND CIVIC HOSPITALITY

1. That a grant in the amount of \$150.00 be made to the Canadian Ontario Invitational Catholic Junior Boys' Basketball Tournament to assist in defraying the cost of staging this tournament to be held in the City of Hamilton on February 7-8, 1981. Estimated attendance, 240 participants.
2. That a grant in the amount of \$400.00 be made to the Viceroy Reading B'nai B'rith Lodge #886 to be used to assist in defraying expenses in producing their 30th Annual Sports Celebrity Night to be held in the City of Hamilton on June 26, 1981.
3. That a grant in the amount of \$500.00 be made to the 1980 Status of Women Committee to meet the expenses to be incurred for a luncheon on January 24, 1981 as part of their annual "Women of the Year" Award. The guest speaker for this luncheon will be Dr. Patricia Taylor, wife of the former U.S. Ambassador to Iran.
4. That the City of Hamilton donate four (4) medals to the Hamilton Camera Club to be presented at its annual City of Hamilton Competition on April 6, 1981. Estimated cost \$200.00.
5. That a reception in the form of light refreshments, i.e. sandwiches, coffee, etc. be provided at the National Ballet of Canada following their opening night performance at Hamilton Place on March 8, 1981. Estimated attendance, 125 persons.

CITY HALL FACILITIES

6. That permission be granted to the Hamilton Branch of the Ukrainian Canadian Committee to fly the Free Ukrainian Flag at City Hall on Saturday, January 24, 1981 in recognition of the Ukrainian Independence Day, and that they also be granted permission to use the City Hall Council Chambers for the Proclamation and Celebration of Ukrainian Day in Hamilton.

RESOLUTIONS

7. That no action be taken on the following resolutions:

(a) City of Kitchener

"That students up to the age of 18 and senior citizens from all municipalities in Canada be permitted to ride any municipal transit system at a reduced fare upon the presentation of proper identification.

And further, that this resolution be circulated to major Canadian municipalities for reciprocal support."

(b) Regional Municipality of Peel

"That the Premier of Ontario be requested to amend the relevant legislation to provide:

- (a) that the appropriate Ministry, in consultation with the manufacturers of motor vehicles and other interested bodies, establish an acceptable and measurable level of noise created in the operation of motor vehicles which would be deemed not excessive;
- (b) the implementation of some form of licensing or identification of mini bikes as an additional form of control;
- (c) the authority for the Police to seize and, subject to a Judge's approval, to confiscate mini bikes and trail bikes when they are being operated unlawfully;

And further, that the Minister of Transportation and Communications and the Solicitor General be invited to meet with Regional Council to discuss the whole issue of control of off-road motorized vehicles;

And further, that this resolution be circulated to all municipalities in Ontario."

(c) City of Cambridge

"That the Premier of Ontario be requested to amend the relevant legislation to provide;

- (a) that the appropriate Ministry, in consultation with the manufacturers of motor vehicles and other interested bodies, establish an acceptable and measurable level of noise created in the operation of motor vehicles which would be deemed not excessive;
- (b) the implementation of some form of licensing or identification of mini bikes as an additional form of control;
- (c) the authority for the Police to seize and, subject to a Judge's approval, to confiscate mini bikes and trail bikes when they are being operated unlawfully.

AND FURTHER that the Minister of Transportation and Communications and the Solicitor General be invited to meet with Regional Council to discuss the whole issue of control of off-road motorized vehicles;

AND FURTHER that this resolution be circulated to all municipalities in Ontario with a population over 50,000."

8. That no action be taken on the request of the City of St. Albert, Alberta petitioning the City of Hamilton to assist in helping to resolve the impasse that appears to exist between the Federal and Provincial Governments on the Constitution and Energy Policy.

LEGISLATION

9. That the City Solicitor be authorized and directed to prepare an amendment to Schedule 15 of By-law No. 79-323 to authorize City Council to approve applications for the use of roller rinks by charitable organizations for time periods in excess of the periods currently provided for in the By-law.
10. That the City Solicitor be authorized and directed to prepare an amendment to Schedule 4 of By-law No. 79-323 to repeal Section 14 and substitute in lieu thereof the following:

14. (1) An owner or driver of a cab shall charge for the conveyance of passengers either wholly within the City of Hamilton or to any point not more than three miles beyond its limits, only the rates or fares set forth as follows:

(a) Livery Cabs or Metered Cabs by Agreement:

(i) By hours \$15.00

(b) Metered Cabs:

(i) For one or two passengers,

A. For the first 1/7 of a kilometer or part thereof \$ 1.00

B. For each additional 1/7 kilometer or part thereof10

C. For waiting after engagement. For each 45 seconds or part thereof after the first 45 seconds10

D. Minimum charge per engagement excluding charges other than meter. (tariff card display) \$ 2.00

E. When loading groceries, luggage, etc., meter to be turned on prior to loading and remain so until unloading. (tariff card display)

(c) For reporting for service at the place designated, when the person engaging the cab fails to employ the same50
By-laws Nos. 74-201, S.1; 74-217, S.1; 76-174, S.1,2,3,4,; 77-153, S.1; 79-280, S.1,2.

(2) A meter may be so designated and adjusted that the fare shall be computed for time as well as distance, at 10 cents for each three-quarter minute as above indicated, from the time or place when the passenger entered the cab, or from the first one and a three-quarter minutes of waiting for the passenger as above indicated, to the time or place at which the passenger discharged the cab, and the time for which the fare is chargeable shall include all unavoidable delays or stops.
By-law No. 74-201, S.1.

(3) Rates or fares mentioned in subsection 1 shall be reduced by 10% for persons issued an Ontario Senior Citizens Privilege Card issued by the Provincial Ministry of Community and Social Services, where all passengers travelling in a taxi-cab are holders of said card.

(4) Every reduction in rates or fares referred to in subsection (3) shall be calculated on the highest full dollar registered on the taxi-meter, or on the minimum charge referred to in subsection (1)(b)(i)D whichever is the highest. By-law No. 79-280, S.3.

OTHER

11. That the new market complex situated in Lloyd D. Jackson Square be officially named the "Hamilton Market" and that the appropriate signs, as recommended to the Legislation Committee by the City Engineer be installed.
12. That the Argyll and Sutherland Highlanders of Canada (Princess Louises) Regiment be granted permission to land by helicopter on the grounds of the Sir John A. MacDonald Secondary School at the conclusion of their winter training exercise in New York State on February 8, 1981.

This permission to be granted on the understanding that the City of Hamilton would be held harmless from all actions which may arise from this activity.

NOTE: For the information of the members of City Council, the Regiment has received all other necessary approvals and are providing appropriate security.

13. That leave be granted to introduce the following Bill:
 - (a) Bill B-7 - By-law to confirm proceedings of the Council of the Corporation of the City of Hamilton at its meeting held on the 13th day of January, 1981.

Respectfully Submitted,

ALDERMAN J. MACDONALD, CHAIRMAN

S.G. Hollowell, Secretary
January 6, 1981

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its SECOND Report and respectfully recommends:

1. For the information of the members of City Council, the Parks and Recreation Committee intends to appoint the following subcommittees to assist it during the 1981-1982 term, to carry out its duties and responsibilities.

(A) HAMILTON HISTORICAL BOARD

- (i) A subcommittee consisting of three (3) members of the Parks and Recreation Committee and six (6) citizens, to recommend to the Parks and Recreation Committee on all matters pertaining to the evaluation, acquisition, development, operation and maintenance of historical sites, structures and materials; and also to assume the responsibilities of the Local Architectural Conservation Advisory Committee (LACAC), pursuant to The Ontario Heritage Act, 1974.
- (ii) This subcommittee to be known as the Hamilton Historical Board.
- (iii) This subcommittee to elect its own chairman and to meet at the call of the chairman.

(B) HAMILTON VETERANS COMMITTEE

- (i) A subcommittee consisting of one (1) member of the Parks and Recreation Committee; the current President of the United Council of Veterans; a current President of a recognized Hamilton Veterans Club; and a Veteran elected at large by the United Council of Veterans, to act as liason between the Veterans Organizations and the Parks and Recreation Committee relative to matters pertaining to the Cenotaph in Gore Park and the Field of Honour in Woodlands Cemetery; to coordinate all parades in the City of Hamilton involving veterans; and to deal with all matters relating directly to, or of concern to, veterans.
- (ii) This subcommittee to be known as the Hamilton Veterans Committee.
- (iii) This subcommittee to elect its own chairman and to meet at the call of the chairman.

(C) HAMILTON-SCOURGE STEERING COMMITTEE

- (i) A subcommittee consisting of five (5) members of the Parks and Recreation Committee and three (3) citizens, to advise and assist the Parks and Recreation Committee in all matters relating to the HAMILTON-SCOURGE Project.
- (ii) This subcommittee to be known as the HAMILTON-SCOURGE Steering Committee and to meet at the call of the chairman.

(D) PARKS AND RECREATION CITIZENS ADVISORY COMMITTEE

- (i) A subcommittee consisting of two (2) members of the Parks and Recreation Committee and seven (7) citizens, to investigate and make recommendations on all matters pertaining to Parks and Recreation, which have been referred to it, by the Parks and Recreation Committee.
- (ii) This subcommittee to be known as the Parks and Recreation Citizens Advisory Committee.
- (iii) This subcommittee to elect its own chairman and to meet at the call of the chairman.
- (iv) This subcommittee to be appointed for a period of one year (terminating December 31, 1981) following which the Parks and Recreation Committee will review its effectiveness and contribution and will, at that time, determine whether to reappoint this committee.

(E) HAMILTON SPECIAL EVENTS COMMITTEE

- (i) A subcommittee consisting of three (3) members of the Parks and Recreation Committee and six (6) citizens, to recommend to the Parks and Recreation Committee on all matters pertaining to Special Events in the City of Hamilton and further to recommend an annual Special Events Programme and to coordinate and oversee same.
- (ii) This subcommittee to be known as the Hamilton Special Events Committee.
- (iii) The chairman and vice-chairman of the Special Events Committee to be members of the Parks and Recreation Committee. The chairman and vice-chairman to be elected by the Special Events Committee.

- (iv) A quorum of the Special Events Committee shall include at least two (2) of the three (3) members of the Parks and Recreation Committee.

2. For the information of the members of City Council, the Parks and Recreation Committee has transferred the responsibilities of the former Hamilton Concert Committee, for arranging a series of musical concerts at Gage Park and at City Hall during the summer months, to the Special Events Committee.
3. For the information of the members of City Council, the Parks and Recreation Committee has determined that the functions of the former City-Boards of Education Liason Committee, will be assumed by the Parks and Recreation Standing Committee.
4. With the adoption of item 7. of the Seventeenth Report of the Board of Control, City Council at its meeting on March 25th, 1980 approved the construction of the Sir Allan MacNab Recreation Centre at an estimated cost of \$1,560,000.00, as provided for in the 1980-84 Capital Budget as project no. C-31258, and further authorized and directed the City Solicitor to make application to the Ontario Municipal Board for approval of this project and for authority to finance the cost by the issuance of 20 year debentures.

It has since been determined that based on a spring of 1981 construction start, the estimated cost of this project is \$1,780,000.00; an increase of \$220,000.00 over the \$1,560,000.00 estimate.

The Parks and Recreation Committee now respectfully recommends:

- (a) That the Sir Allan MacNab Recreation Centre project be proceeded with at a revised estimated cost of \$1,780,000.00.
- (b) That the Finance Committee be requested to recommend the method of financing the additional cost of \$220,000.00.
- (c) That the City Solicitor be authorized and directed, if necessary, to make application to the Ontario Municipal Board for approval of the project at the revised estimated cost of \$1,780,000.00.

NOTE: For the information of the members of City Council, the Ontario Municipal Board approval of the City's original application in the amount of \$1,560,000.00 has not as yet been received. Application was made as directed, however, the Ontario Municipal Board wrote back and requested further information. This information is presently being assembled and will be forwarded forthwith.

5. In the 1981-82 portions of the 1980-84 Capital Budget, provision was made, in the amount of \$545,000.00, for major renovations to the Coronation Rink/Pool Complex.

It has since been determined that based on a May 1st, 1981 construction start, the revised estimated cost of the proposed project is \$640,000.00.

With a view to expediting this project, if ultimately approved by City Council, and in order to obtain more accurate cost estimates, the Committee respectfully recommends:

- (a) That the City Architect be authorized and directed to prepare preliminary design sketches for the renovations of this facility.
- (b) That the City Engineer be authorized and directed to provide Electrical Consulting Services for this project.
- (c) (i) That the firm of James S. F. Ma & Associates Ltd., 866 Main Street East, Hamilton, Ontario, be retained to carry out structural investigations, prepare plans, specifications and cost estimates for the structural aspects of this project at a total estimated fee of \$9,500.00. This fee is calculated on the basis of 9% of the estimated cost of the structural part of the project.
- (ii) That the firm of Moffat Engineering Limited, 21 Hunter Street East, Hamilton, Ontario, be retained to carry out investigations, prepare plans, specifications and cost estimates for the mechanical aspects of this project, at a total estimated fee of \$12,500.00. This fee is calculated on the basis of 9% of the estimated cost of the mechanical part of this project.
- (d) That the Finance Committee be requested to recommend the method of financing the consultants' fees, estimated to be a total of \$22,000.00.

NOTE: For the information of the members of City Council, it is imperative that all approvals be secured, plans and specifications completed and a contract awarded by early May, 1981 in order that the actual work can be completed prior to the 1981-82 skating season.

The committee further wishes to advise that, upon receipt of the Consultants' reports and cost estimates, which will be more accurate than those presently available, it will undertake a review of the proposed renovation project and submit a further report and recommendation for Council's consideration.

- 6. That the surrender of the lease between the City and Mrs. H. M. Carruthers respecting rear lands at 127 Leland Street be approved and that the \$1.00 rental fee paid, be refunded.

Members of Council are advised that, because of the encroachment of an adjacent property owner, the City is not able to provide Mrs. Carruthers with free and clear use of this land.

It is further recommended that notice be served on Mr. A. Friday, of 125 Leland Street, to remove all encroachments from the City lands at the rear of 127 Leland Street by January 31st, 1981. In the event Mr. Friday does not remove these encroachments, it is further recommended that the Parks Division be authorized to remove same and place them on Mr. Friday's property.

7. Approval of the awarding of a contract to King's Restaurant for the operation of a food and drink concession at the Rosedale Arena, in accordance with specifications issued by the Director of Purchases, and Vendor's Tender for the term from January 1, 1981 to March 31, 1982 for an annual prepaid payment of \$6,000.00.

This tender provides that the City has the right to renew this contract for an additional period from April 1, 1982 to March 31, 1983 upon receipt of a payment of \$6,500.00; and for a further period from April 1st, 1983 to March 31st, 1984 for the sum of \$7,000.00.

NOTE: This is the higher of two tenders received.

8. Approval of the following change order to a contract previously awarded by City Council:
 - (a) Aldershot Landscape Contractors Limited, re: Earl Kitchener Playground - Phase II Development. For additional quantities of asphaltting, top soil and lumber and reduced quantities of concrete grid paving, in accordance with change order no. 1, for the increased sum of \$1,150.19. The original contract awarded this firm was in the amount of \$28,822.10. The revised contract price including this change order is \$29,972.29.
9. That the following rates for the use of the sports fields at "Globe Park" (former Dofasco Park, adjacent to the Water Purification Plant on Woodward Avenue North), be implemented for the 1981 season:

-	Week-nights	-	\$5.00 per diamond/soccer pitch
-	Week-ends	-	\$5.00 per four (4) hour period

NOTE: For the information of the members of City Council, implementation of these rates will result in an anticipated revenue of \$2,100.00 in 1981.

Respectfully submitted,

Alderman K. M. Edge, Chairman
Parks and Recreation Committee

J. J. Schatz, Secretary
December 11th, 1980

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its THIRD Report for 1981 and recommends:

1. That approval be given to the Central Area Plan to establish Policies and guidelines with respect to planning and development for the Central Area of the City.

NOTE: This resolution, as Item 1 of the First Report of the Planning and Development Committee for 1980 - 1981 was tabled at the meeting of Council held on December 9, 1980.

2. That approval be given to Zoning Application 80-87, Bruce L. Hunt, owner, to establish a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District of property at No. 157 Limeridge Road East, as shown on the plan at Appendix "A" attached, and that the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map E-9A, and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk. The proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note

The by-law will provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District of property at No. 157 Limeridge Road East, the location of which is shown on Zoning District Map E-9A. The purpose of the change is to establish the appropriate zoning for single family residential use.

3. That approval be given to Zoning Application 80-84, E. M. Alexander, owner, to establish a modification to the Zoning Regulations applicable to the property at No. 80 Jones Street, as shown on the plan at Appendix "B" attached, on the following basis:

- i) That the "A" (Conservation, Open Space, Park and Recreation) District Zoning Regulations applicable to the subject property, as contained in Section 7 of By-law No. 6593, be modified so as to permit the existing residential use and any expansion and enlargement thereof in accordance with the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District provisions of By-law 6593.
- ii) That the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-730 and that the subject land on Zoning District Map W-21 be notated S-730.

- iii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map W-21 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note

The by-law will permit the existing residential use and any expansion and enlargement thereof on property at No. 80 Jones Street, the location of which is shown on Zoning District Map W-21.

4. That Section 1(b) of the 31st Report of the Planning and Development Committee for 1980 be amended with respect to lands in the block bounded by Jackson, Caroline, Hunter and Hess Streets, as shown on the plan at Appendix "C" attached, by including the following clause:

"(i)(c) That notwithstanding Sections 4(3)(a) and 15A(1) of By-law 6593, the existing two family dwelling shall be permitted in addition to the television studio and accessory office building."

- i) That the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-727a and that the subject land on Zoning District Map W-5 be notated S-727a.
- ii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map W-5 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- iii) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area, with the approval of Amendment No. 353.

Explanatory Note

The by-law will provide for a modification to the "HI" (Civic Centre Protected) District Zoning Regulations applicable to lands in the block bounded by Jackson, Caroline, Hunter and Hess Streets, as shown on the Zoning District Map W-5, so as to permit a two family dwelling in addition to the television studio and accessory office building.

5. That Zoning Application 80-86, Highvale Construction Limited and 415602 Ontario Limited, Lessees, requesting a modification of the "A" (Conservation, Open Space, Park and Recreation) District Zoning Regulations applicable to lands within the Ontario Hydro Electric Power Corridor located south of Main Street West in the area east of No. 1685 Main Street West to permit an accessory storage shed be refused for the following reason:

That the accessory storage shed for the established legal non-conforming parking lot use is in violation of the "A" (Conservation, Open Space, Park and Recreation) District Zoning Regulations and adversely affects the adjoining residential area.

6. That Zoning Application 80-83, K. Duvall, owner, requesting a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "J" (Light and Limited Heavy Industrial) District of properties at Nos. 60, 62 and 64 Cathcart Street be refused for the following reason:

That the proposed zoning to permit light and limited heavy industrial development is contrary to the "Residential" land use designations of the approved Neighbourhood and Official Plans. It is further considered that the proposed use of the property for the parking of private waste collection trucks would adversely affect residential properties in the immediate area.

7. That pursuant to the Oral Decision of the Ontario Municipal Board delivered on August 18, 1980, the City Solicitor be directed to prepare a by-law to amend By-law No. 80-61, with respect to property at No. 241 Mary Street, as shown on the plan at Appendix "D" attached, on the following basis:

- i) That the "J" (Light and Limited Heavy Industrial) District Zoning Regulations applicable to the subject property be amended to provide that:
 - a) The subject property described as Block 1 be used for a common purpose and in common ownership with the lands described as Block 2 and known as No. 235 Mary Street;
 - b) The existing parking lot at No. 235 Mary Street as described as Block 2 continue to be available for parking purposes.
- ii) That the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-510b and that the subject land on Zoning District Map E-3 be notated S-510b.
- iii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map E-3 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note

By-law No. 80-61 established a modification to the "J" (Light and Limited Heavy Industrial) District Zoning Regulations applicable to property at No. 241 Mary Street,

- 13) That the owner agrees in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.

12.b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the Owners to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to Application SA80-06, "Almas Gardens Phase II" draft plan of subdivision located on the east side of Upper Horning Road, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by the City Council.

NOTE: It is proposed that 5.133 hectares (16.84 acres) of land located on the east side of Upper Horning Road, be subdivided to establish 89 lots for single family dwellings and 12 blocks for future development.

13. That leave be granted to introduce the following Bills:-

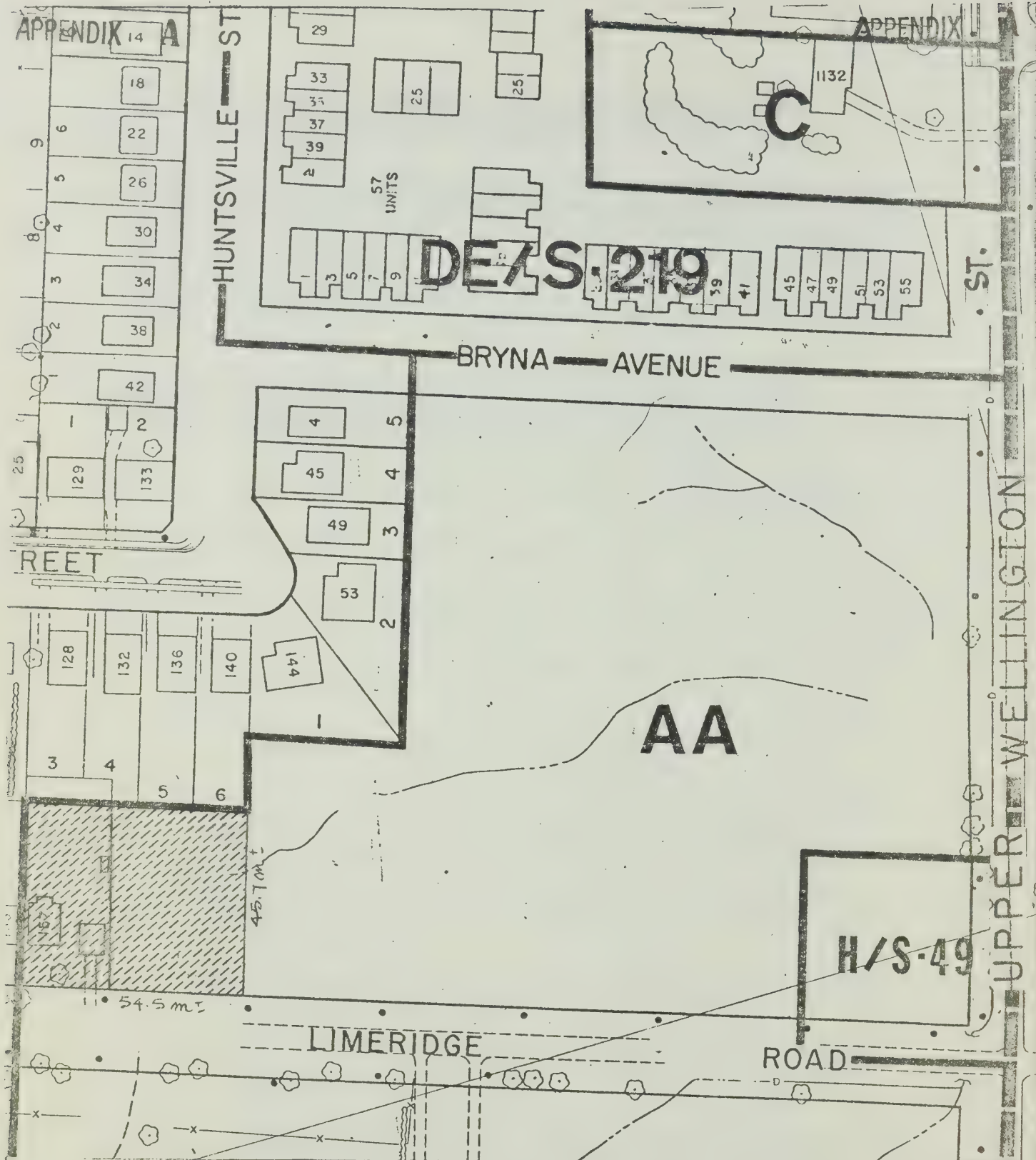
- (a) Bill Number D7 - By-law to Amend: Zoning By-law No. 6593
Respecting: Home Occupation.
- (b) Bill Number D8 - By-law to Amend: Zoning By-law No. 6593
Respecting: Land located at Municipal No. 489 Concession Street.
- (c) Bill Number D9 - By-law to Amend By-law No. 80-049
Respecting: Metrication.
- (d) Bill Number D10 - By-law to Amend: Zoning By-law No. 80-213
Respecting: Land located at the south-east corner of Wellington Street North and Wilson Street.
- (e) Bill Number D11 - By-law to Establish: Site Plan Control
Respecting: Land located at the south-west corner of Centennial Parkway North and the Queen Elizabeth Way.
- (f) Bill Number D12 - By-law to Establish: Site Plan Control
Respecting: Land located at Municipal Nos. 39 and 41 Devonport Street.
- (g) Bill Number D13 - By-law to Repeal: By-laws 78-92 and 78-140
Respecting: Lodging Houses and Boarding Houses.
- (h) Bill Number D14 - By-law to Amend: Zoning By-law No. 6593
Respecting: Residential Care Facilities, Short-term Care Facilities and Lodging Houses.
- (i) Bill Number D15 - By-law to Amend: Zoning By-law No. 73-115
Respecting: Land located at Municipal Nos. 11, 13, 15, 19, 24, 25, 27, 29 and 30 Hess Street South and 78, 80, 82 and 84 George Street and 263 and 267 King Street West.

- (j) Bill Number D16 - By-law to Amend: Zoning By-law No. 6593
Respecting: Lands located in the area north of the C.N.R.
Tracks, between Wellington Street North and Strathearne Avenue.
- (k) Bill Number D17 - By-law to Amend: Zoning By-law No. 6593
Respecting: Business Identification Signs in the "G" and "G-1"
Districts.

Respectfully submitted,

Alderman W. M. McCulloch, Chairman
Planning and Development Committee

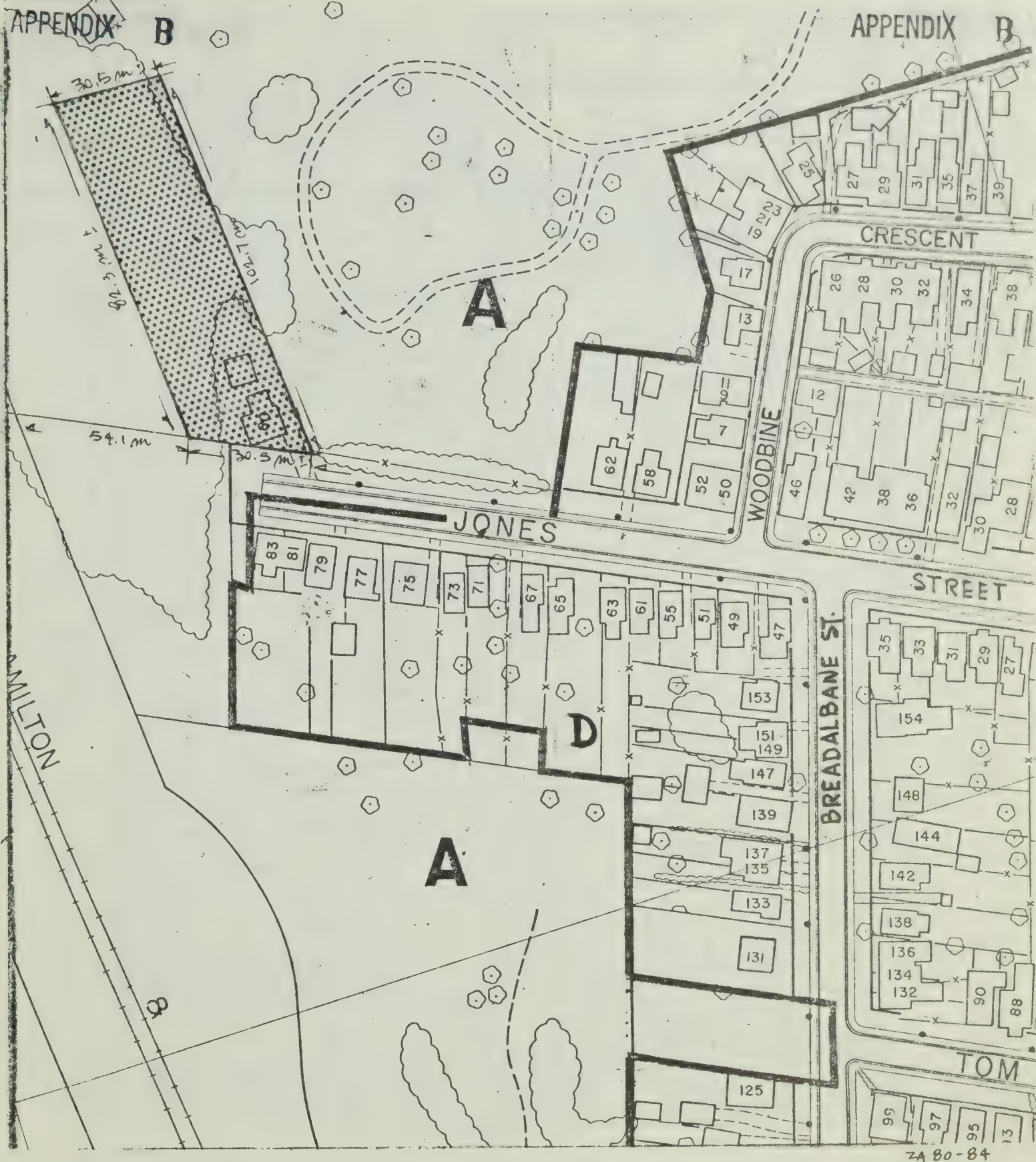
JWW:jm
January 8, 1981



LEGEND



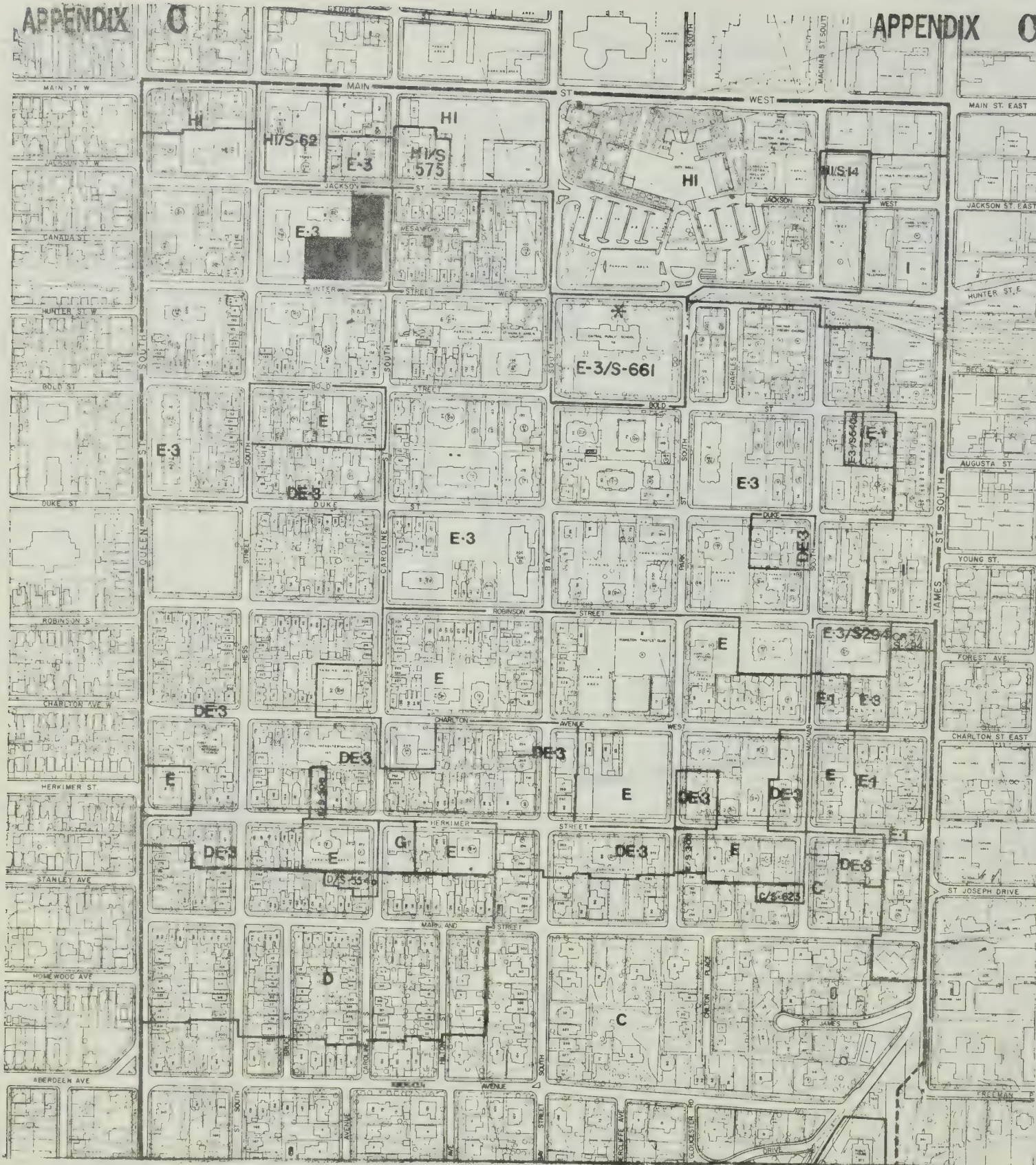
Change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.



LEGEND



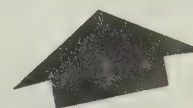
Change in zoning from "A" (Conservation, Open Space, Park and Recreation) District to "A" (Modified).



LEGEND



Site of CHCH T.V. Studios.



PARKING AREA

BARTON STREET

CATHARINE STREET

STREET

MAR 2

NEG

ROBERT STREET

J/S - 378a

LEGEND

Block 1
241 Mary St.

Location of Existing Body and Fender Repair Shop.

Block 2
235 Mary St.

Location of Parking Area for the Body and Fender Repair Shop.

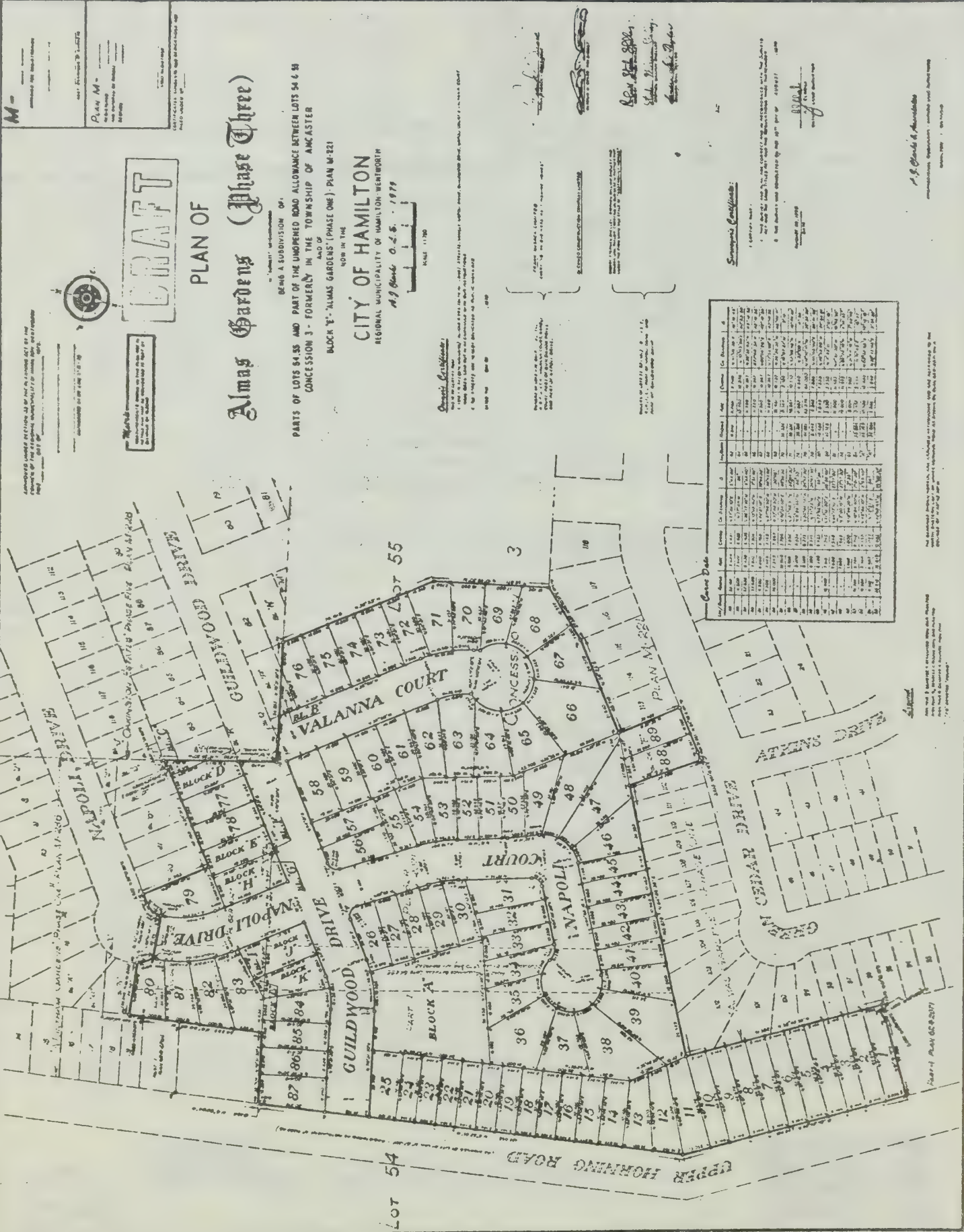
APPENDIX D D.11

APPENDIX D

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REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

Members of Council:-

The Planning and Development Committee presents its FOURTH Report for 1981 and respectfully recommends:-

1. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:-

157 Bay Street North	31 Elgin Street
159 Bay Street North	37 Elgin Street
161 Bay Street North	39 Elgin Street
163 Bay Street North	41 Elgin Street
165 Bay Street North	47 Elgin Street
2 Mill Street	236 East 21st Street
4 Mill Street	309 Gray's Road
6 Mill Street	14 Bayside
8 Mill Street	26 Lloyd

2. That the City Solicitor be directed to prepare a By-law under Section 37 of The Planning Act permitting the City to provide an additional grant, not to exceed \$500.00, to Mr. J. Morrison, 47 Madison Avenue for repairs to his property.

For the information of the members of City Council, this grant is required to correct the water seepage problem which has arisen since the completion of a rehabilitation loan under the Ontario Home Renewal Programme.

3. Approval of an agreement by the owner, William F. Canary, to accept compensation from the Corporation of the City of Hamilton in the sum of \$76,376.38 for the properties at 387, 389, 391 John Street North, 54 Ferrie Street East and a vacant parcel - south west corner of John Street North and Ferrie Street East, of which \$40,000.00 represents compensation for the market value of the properties, \$35,876.38 for interest from July 9, 1965 to January 16, 1981 (5% per cent per annum to December 20, 1978 and 6% per annum thereafter, as required by The Expropriation Act) and \$500.00 for legal fees. The City is presently in the process of obtaining the necessary approvals from the Federal and Provincial partners so that the City can seek 75% reimbursement as part of the North End Urban Renewal Project.

4. Approval of the payment of the claimants' legal and appraisal fees in the amount of \$32,150.61 in connection with the expropriation of 60 Main Street West - William Stewart and the Estate of George Stewart (Tridon Hotel) and the Park and Charles Street property of William G. Stewart. The City is presently in process of obtaining the necessary approvals from the Federal and Provincial partners, so that the City can seek 75% reimbursement as part of the Lloyd D. Jackson Square Urban Renewal Programme.

Also recommended for payment is an account in the amount of \$664.28 submitted by Weir and Foulds, who acted as legal counsel for the City of Hamilton in connection with these expropriations.

Respectfully submitted,

JDT:bg
January 7, 1981

Alderman W. M. McCulloch, Chairman
Planning and Development Committee

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its SECOND Report and respectfully recommends:-

Airport

1. That the City Solicitor be authorized and directed to seek immediate payment of the outstanding account of the Hamilton Flying Club at the Hamilton Civic Airport, Hangar T-35, in the amount of \$3,395.31.
2. That approval be given to Hamilton Mountain Airshows Incorporated to use the facilities at the Hamilton Civic Airport on Saturday, June 20, 1981 and Sunday, June 21, 1981, to hold the Seventh Annual Hamilton International Airshow. It is understood that the use of the Airport will be under the terms and conditions as established for the 1980 Hamilton International Airshow and further, that Hamilton Mountain Airshow Inc., will obtain the necessary liability coverage for staging this airshow.

City Engineering

3. That Item 2 of the First Report of the Traffic and Engineering Committee adopted by City Council on January 29, 1980 which deals with the closing of the alleyway west of Elgin Street, south of Barton Street and the opening of the alleyway in lieu north of 155 Elgin Street, be rescinded in its entirety.
4. That the City Solcitor be directed to proceed with the preparation of a by-law to widen Cannon Street at the southeast corner of Gage Avenue, by incorporating therein Part 1, Plan 62R-5601.
5. That the City Solicitor be directed to proceed with the preparation of a by-law to widen Brucedale Avenue on the north side, west of East 23rd Street, by incorporating therein the southerly 8' of lot 469 Registered Plan No. 485 as shown on Plan N.S. 1447 Surveys.

Regional Engineering

6. Whereas Clause 3(b) of the Twenty-First Report of the Planning and Development Committee, adopted by City Council at its meeting held on June 10, 1980 recommended that a Subdivision Agreement be entered into between the City and Robert Shelley Construction Limited, Cohoe Contracting Limited, J. Gollob Construction Limited and Sebeck Construction Company Limited as owners of the subject lands, that in the matter of Templemead No. 2 Survey (Phase 1):

- (i) That the submitted schedule for the Estimated Cost of Services be approved.
- (ii) That the City's share of the cost of development of this subdivision be charged to Account No. 0280-12:

<u>Type of Work</u>	<u>Amount</u>
Curbs and Walks	\$ 7,275.00
Final Roads	\$16,770.00
Catch Basins	\$ 2,619.00
TOTAL	\$26,664.00

- (iii) That the approval of the above clauses be subject to the condition that no work be commenced until the plan and the Agreement have been registered.
- (iv) That in the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk provided that he enters into a Standard Agreement for pre-servicing.

7. Whereas Item 3(b) of the Twenty-First Report of the Planning and Development Committee, adopted by City Council at its meeting held June 10, 1980 recommended that a Subdivision Agreement be entered into between the City and Edgemount Developments Limited as Owner of the subject lands, it is now recommended in the matter of Templemead No. 2 Survey (Phase 2):

- (i) That the submitted schedules for the Estimated Cost of Services be approved.
- (ii) That the City's share of the cost of development of this subdivision be charged to Account No. 0280-12:

<u>Type of Work</u>	<u>Amount</u>
Final Roads	\$40,051.00

- (iii) That the approval of the above clauses be subject to the condition that no work be commenced until the Agreement has been registered.
- (iv) That in the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enters into a Standard Agreement for pre-servicing.

8. That the following recommendation of the Commissioner of Engineering respecting the acquisition of land for the widening of Limeridge Road East on the north side between Upper Sherman Avenue and Upper Wentworth Street, be approved:

- (i) That the Commissioner of Engineering be authorized to acquire the necessary lands.
- (ii) That the land acquisition be charged to the 1981 Local Improvement Programme (Land and Construction).
- (iii) That the Commissioner of Engineering be authorized on completion of the necessary documents to advertise this project pursuant to The Municipal Act and to prepare the necessary roadway alteration by-law.

Note: In order to ensure that the planned 1981 road and sidewalk construction can proceed on schedule, the aforementioned lands should be acquired as soon as possible.

9. Whereas the residents of Adorn Court and Village Drive presently have but one access to and from their homes, that access being at Kenora Avenue, and whereas a problem exists, particularly in the winter, of accessibility to Adorn Court and Village Drive by emergency services, it is therefore recommended:

- (i) That parking be prohibited on a full-time basis on the east side of Kenora Avenue between Barton Street and Village Drive.
- (ii) That no action be taken with respect to the advancing of the construction of a link between Village Drive and Centennial Parkway due to the excessive cost (\$440,000.00 plus).
- (iii) That the residents of the neighbourhood who have come out to represent their case at the Traffic and Engineering Committee be advised of the final decision.

10. Whereas City Council, at its meeting of August 26, 1980, adopted Item 3 of the 13th Report of the Traffic and Engineering Committee which recommended the undertaking of repairs to the Parkdale Avenue Bridge over Lawrence Road, and whereas once the concrete repairs commenced, it was determined that there was more unsound concrete in the supporting structure than originally anticipated, thereby making it necessary to temporarily support the bridge at an additional cost of \$7,000.00 not allowed for in the original estimate, it is therefore recommended that the additional amount required for the temporary support system and extra concrete repairs be approved and the Finance Committee recommend the method of financing.

11. Whereas the Red Hill Creek Hydraulics Study deals with matters under the jurisdiction of the City of Hamilton Council and of interest to the Region of Hamilton Conservation Authority but of little Provincial interest and whereas the Provincial interests are protected by the Water Resources Act and the Planning Act and whereas the inclusion of the Ministry of Environment would increase the cost of the study without any definite benefits, it is therefore recommended that the Hamilton Conservation Authority be advised that the Authority will be involved in the Red Hill Creek Study as previously agreed to, but the City is not, at this time, interested in adding the Ministry of Environment to the Technical Co-ordinating Committee.

12. That the application of the owner(s) of 180 Walnut Street South to retain:

- (i) the existing landscaping which encroaches onto the road allowance of Walnut Street by a maximum of 3.3 m (11 feet) for an approximate distance of 10.1 m (33 feet),
- (ii) the existing landscaping which encroaches onto the road allowance of Forest Avenue by a maximum of 4.0 m (13 feet) for an approximate distance of 20.1 m (66 feet),

be approved during the pleasure of Council provided:

- (a) That the owner prepares an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (b) That an annual fee be set for this privilege, in addition to the \$25.00 annual fee to be charged the owners for encroachment insurance.

13. That the application of the owner(s) of 176 Canada Street to retain an inadvertent encroachment of a porch onto the road allowance of Canada Street by a maximum of 2.1 m (6.8 feet) for an approximate distance of 4.7 m (15.3 ft.) be approved during the pleasure of Council provided:

- (a) That the owner(s) prepare an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damage, expenses and loss.
- (b) That an annual fee be set for this privilege, in addition to the \$25.00 annual fee to be charged the owners for encroachment insurance.

14. That the application of the owner(s) of 174 Canada Street to retain an inadvertent encroachment of a porch onto the road allowance of Canada Street by a maximum of 2.1 m (6.9 feet) for an approximate distance of 4.7 m (15.3 feet) be approved during the pleasure of Council, provided:

- (a) That the owner(s) prepare an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (b) That an annual fee be set for this privilege, in addition to the \$25.00 annual fee to be charged the owners for encroachment insurance.

15. That the application of the owner of 389 Jackson Street West to retain:

- (i) an inadvertent building encroachment on the road allowance of Poulette Street by a maximum 41 cm (1.4 feet) for an approximate distance of 13.3 m (43.5 feet),
- (ii) an inadvertent porch encroachment on the road allowance of Jackson Street by a maximum of 11 cm (0.4 feet) for an approximate distance of 3.2 m (10.5 feet),

be approved during the pleasure of Council, provided that:

- (a) The owner prepare an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (b) That an annual fee be set for this privilege, in addition to the \$25.00 annual fee to be charged the owners for encroachment insurance.

16. That the application of Stelco Inc. respecting the installation and maintenance of two (2) 600 volt aerial services across Queen Street, approximately 45.8 m (150 feet) north of Barton Street at a minimum height of 5.5 m (18 feet) be approved during the pleasure of Council, provided:

- (a) The owner prepare an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (b) That an annual fee be set for this privilege, in addition to the \$25.00 annual fee to be charged to Stelco Inc., for encroachment insurance.

17. That the application of the owner of 71 Burlington Street West to retain an inadvertent porch encroachment on the road allowance of Burlington Street by 23 cm (0.8 feet) for an approximate distance of 4.9 m (16 feet) and to retain a further inadvertent stair encroachment onto the road allowance of Burlington Street by a maximum of 0.9 m (3 feet) for an approximate distance of 0.9 m (3 feet) be approved during the pleasure of Council, provided:

- (a) That the owner prepares an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (b) That an annual fee be set for this privilege, in addition to the \$25.00 annual fee to be charged to Stelco Inc., for encroachment insurance.

18. Whereas two agreements respecting paving on the road allowance of Beach Road were entered into by the City of Hamilton and the owners of 176 Beach Road dated 28 12 08 and 52 09 09 respectively, and registered as Instrument Nos. 312010 (Ham) and 211716 N.S. respectively and whereas paving no longer exists on the road allowance, it is now recommended:

- (i) That the present owners discharge the said agreements at their expense to the satisfaction of the City Solicitor.
- (ii) That the appropriate officials be authorized to execute the documents in relation to these discharges.

19. Whereas an agreement respecting the parking on Cannon Street was entered into by the City of Hamilton and the owners of 26 Balsam Avenue North dated 78 10 26 and registered as Instrument No. 112178 C.D. and whereas the parking has been eliminated due to the relocation of the sidewalk and the asphalt paving removed, it is now recommended:

- (i) That the owners discharge the said agreement at their expense, to the satisfaction of the City Solicitor.
- (ii) That the appropriate officials be authorized to execute the documents in relation to this discharge.

20. That the agreement known as Instrument No. 45908, registered against the property of 7 McIntosh Avenue Hamilton, be discharged and the discharged agreement registered.

21. That the Commissioner of Engineering be authorized and directed to issue a road allowance occupancy permit for Local Roads for the year 1981 to Mediacom Inc. provided:

- (i) That the vehicles be allowed to occupy the travelled and untravelled portions of the road allowances excluding sidewalks, and for sign erection, cleaning and maintenance purposes; and
- (ii) That the applicant complies with all the Regulations of the Streets By-Law 9329 and any other conditions that may be set out by the Commissioner of Engineering; and
- (iii) That the applicant agrees to refrain from occupying the road allowance during rush hours; and
- (iv) That the applicant indemnifies and saves the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

22. Whereas a sufficiently signed petition was received requesting paving of the alleyway in the block bounded by Cannon Street East, Birch Avenue, Wilson Street and Gibson Avenue (east-west and north-south portion), and whereas now it has been determined that the property owners adjacent to the north-south section of the alley are not in agreement to having the alley paved and because there are no Engineering or maintenance reasons why this work should be undertaken, the following is recommended:

That Council authorize the paving of only the east-west portion of the alley.

Real Estate

23. That the Mayor and the City Clerk be authorized to execute an agreement between Her Majesty the Queen and the Corporation of the City of Hamilton respecting an Airport Operations and Maintenance Subsidy. (See copy of said agreement attached).

24. That Council approve the renewal of the lease with Imperial Oil Ltd. for 16,900 square feet of land at Hamilton Civic Airport for Aviation Fuel Holding Tanks at an annual rental of \$1,690.00 plus taxes for a period of 2 years commencing January 1, 1981, at which time (December 31, 1982) the rental rate will be reassessed.

25. That City Council approve the leasing of 11 acres of land at the Hamilton Civic Airport to Mr. Arthur A. French at \$10.00 per acre plus taxes totalling \$110.00 per year plus taxes for a period of 1 year commencing January 1, 1981.

26. That a lease between the City of Hamilton and Gerrit Hendrik Aatlink O/A Mount Hope Taxi, be renewed for a 2 year period commencing January 1, 1981 and further that the City Solicitor be authorized to prepare the necessary documents.

27. That the Terminal Space at Hamilton Civic Airport formerly leased to Horizon Car and Truck Rentals, be assigned to 457784 Ontario Ltd. (President Mr. Lowell Richter) as said Company will be assuming the Budget Rent-a-Car licence for the Hamilton Area as of November 1, 1980.

28. Whereas permission was granted to the owners of 1219 Main Street East, pursuant to By-Law No. 80-304, to encroach with a porch and steps onto the road allowance of Edgemont Street, it is therefore recommended that a fee of \$10.00 per annum be charged for this privilege.

29. Whereas Item #9 of the First Report of the Transportation and Environment Committee was adopted by City Council at its meeting of December 9, 1980 granting permission to the owner of 152 Wentworth Street South to encroach with a garage into the road allowance of Delaware Avenue by a maximum of 35 cm (1.2 feet) for an approximate distance of 7.6 m (25 feet), it is therefore recommended that a fee of \$10.00 per annum be charged for this privilege.

30. Whereas Item 8 of the First Report of the Transportation and Environment Committee was adopted by City Council at its meeting of December 9, 1980, granting permission to the owner of 220 Wellington Street North to retain:

- (i) An inadvertent building encroachment onto the road allowance of Robert Street of a maximum of 6 cm (0.2 feet) for an approximate distance of 11.3 m (37 feet).
- (ii) An inadvertent step encroachment onto the road allowance of Robert Street of a maximum of 15 cm (0.5 feet) for an approximate distance of 0.8 m (2.5 feet).
- (iii) An inadvertent garage encroachment onto the road allowance of Robert Street by a maximum of 2 cm (0.1 feet) for an approximate distance of 3.7 m (12 feet);

It is therefore recommended that a fee of \$30.00 per annum be charged for this privilege.

31. That Council approve the sale for the sum of \$1.00, of a 1' reserve abutting 12 Lotus Avenue, part of Lot 15, Concession 6, formerly in the Township of Barton now in the City of Hamilton in the Regional Municipality of Hamilton-Wentworth, said parcel of vacant land having a frontage of 80 feet, more or less, along the northern limit of Lotus Avenue by a depth of 1 foot being adjacent to 12 Lotus Avenue (as shown on Plan SS-1107A). This offer to Purchase is to be accepted on or before January 30, 1981 and the closing of this sale

shall be on or before March 2, 1981.

32. Whereas City Council, at its July 29, 1980 meeting approved the purchase, for the sum of \$2,000.00, of a part of Lot 18, Concession 7, Township of Barton, having a frontage of 40.49 feet, more or less, on the northerly limit of Brigadoon Drive and having an irregular depth of up to 187.92 feet, more or less, and containing an approximate area of .170 acres, said property shown on Plan M-130 as Block "B", also known as 478 Brigadoon Drive, it is therefore recommended that this transaction be completed.

33. That the purchase by the City for the sum of \$40,000.00, of part of Lot 11, Concession 6, formerly in the Township of Barton now in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, said irregular shaped parcel of land having frontage on Limeridge Road and Upper Wentworth Street, and as said lands are required in order to establish Kingfisher Drive, it is therefore recommended that this transaction be completed.

Note: It is understood and agreed that the said lands are required by the City for roadway purposes and the City of Hamilton will establish 1 foot reserves along both sides of Kingfisher Drive for its entire length in order to recover the cost of the installation of services.

It is further understood and agreed that the Purchaser will not be entitled to recover the purchase price of \$40,000.00 through the sale of 1 (one) foot reserves. The above \$40,000.00 represents the City's contribution to Abbotsford Homes Limited for their share of the acquisition costs of the properties at 373 and 379 Limeridge Road East.

It is further agreed that the City will require vacant possession of the residential dwellings at 373 and 379 Limeridge Road East by the closing date. The City will proceed to demolish said dwellings after closing.

The vendor acknowledges that the residential dwelling located at 948 Upper Wentworth which is located on lands being retained by the Vendor encroaches onto the proposed Kingfisher Drive. The Vendor will provide the City with vacant possession of this dwelling on the closing date and hereby authorizes the City or its servants to enter upon the lands north of Kingfisher Drive in order to demolish this dwelling.

This contract arising from the acceptance of this Option shall be completed on or before the 6th day of March 1981.

34. That the City of Hamilton convey for the sum of \$1.00, as easement over part 8, Plan 62R-539, in favour of Bell Canada and the Hamilton Hydro Electric System and that the City Legal Department prepare the necessary easement agreement.

Traffic

35. That Schedule 25 (Parking Time Limits) be amended:

(a) by deleting from Section 7 (Three Hour Limit 8:00 a.m. - 6:00 p.m., Monday to Saturday) the following item, namely:

"Ashley	West	From 30 ft. south of Cannon to 66 ft. southerly"
---------	------	--

(b) by adding to Section 5 (One Hour Limit, 8:00 a.m. - 6:00 p.m., Monday to Saturday) the following item, namely:

"Ashley	West	From 30 ft. south of Cannon to 96 ft. south of Cannon".
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36. That Schedule 26 (No Parking Areas) be amended:

(a) by deleting from Section A (No Parking Anytime) the following items, namely:

"Ruth	East	From 30 ft. north of Barton to 25 ft. northerly
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Cranbrook	West and South	Greendale to westerly end of street".
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(b) by adding to Section A (No Parking Anytime) the following items, namely:

"Grafton	South	End to End
Cranbrook	South, West and North	Westerly end to westerly Limits of Courtland
Regency	East	Mohawk to Summerlea Drive
Kenora	East	Barton to Village Drive".

37. That Schedule 27 (Alternate Side Parking) be amended by deleting the following item, namely:

"Grafton	North	South"
End to End		

38. That Schedule 29 (No Stopping Areas) be amended by deleting from Section A (No Stopping Anytime) the following item, namely:

"Wilfred	West	Burlington to Oliver"
----------	------	-----------------------

and by adding thereto the following items, namely:

"Beach Road	North	Kenilworth to Burlington
Justine	Both	Province to 60 ft. westerly
Balmoral	West	Justine to 47 ft. southerly".

39. That Schedule 37 (Snow Routes) be amended by adding the following items, namely:

"Kenora	Barton	Village Drive
Wilfred	Burlington	Oliver
Oliver	Wilfred	Wentworth
Wentworth	Burlington	Oliver
San Remo	San Antonia	Lavina
Lavina	San Remo	Magnolia
Magnolia	Lavina	Mohawk".

40. That Sub-section 13a of Section 27 of By-law 66-100 To Regulate Traffic be rescinded, and that Schedule 37 (TRAFFIC ON CLOSED STREETS) be deleted from said by-law.

41. That the application of Superior Printery Hamilton Limited to use a portion of Vine Street for parking purposes be approved during the pleasure of City Council provided:

- (i) That the owner complies with the requirements as set out in the policy respecting using a portion of the road allowance for parking purposes.
- (ii) That the approach and parking area be constructed in accordance with the submitted plan at the owners expense.
- (iii) That the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (iv) That the applicant pay the annual fee as established by City Council plus taxes, in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.

42. That the application of Merg Garages and Enterprises Limited to use a portion of Catharine Street North for parking purposes be approved during the pleasure of City Council provided:

- (i) That the owner complies with the requirements as set out in the policy respecting using a portion of the road allowance for parking purposes.
- (ii) That the approach and parking area be constructed in accordance with the submitted plan at the owners expense.
- (iii) That the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims demands, costs, damages, expenses and loss.
- (iv) That the applicant pay the annual fee as established by City Council plus taxes, in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.

43. That the application of Morden and Helwig Limited, to use a portion of East Avenue for parking purposes be approved during the pleasure of City Council provided:

- (i) That the owner complies with the requirements as set out in the policy respecting using a portion of the road allowance for parking purposes.
- (ii) That the approach and parking area be constructed in accordance with the submitted plan at the owner's expense.
- (iii) That the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions,

causes of action, interest, claims, demands, costs, damages, expenses and loss.

- (iv) That the applicant pay the annual fee as established by City Council plus taxes, in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.

44. That the following subsection to item 10 of the First Report of the Transport and Environment Committee be approved:

- (iv) That the applicant pay the annual fee as established by City Council plus taxes, in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.

Note: This sub-section was inadvertently omitted when the application from Eldorado Tavern to use a portion of the road allowance on Hughson Street North was approved on December 9, 1980.

Miscellaneous

45. The following representatives of the Conservation of Energy Committee be authorized to attend the Second Cities Energy Conference in Winnipeg, Manitoba on January 28th, 29th and 30th, 1981, and further that the Finance Committee recommend the method of financing. (Total approximate cost - \$1,400.00).

Alderman D. Lawrence
Mr. R. Desjardins
Mr. R. C. Prowse

The theme of the Conference is Energy Alternatives in Urban Transportation.

46. That the recommendation from the Director of Purchases re: the following, be approved:

- (a) Frink Canada - Supply and installation of five (5) (reversible underbody snow plows - Net Price \$26,322.00 (Lowest Acceptable Tender).
- (b) Total Air Systems - Open order for the supply of Air Filter Media for 1981 - Total Approximate Sum - \$10,344.29. (Lowest of 6 Quotations).
- (c) Canadian Corps of Commissionaires, Hamilton - Commissionair services for Traffic By-law Enforcement 1981. (Only Acceptable Tender).

	<u>Regular Rate</u>	<u>Overtime Rate</u>	<u>Holiday Rate</u>
	<u>Per Hour</u>	<u>Per Hour</u>	<u>Per Hour</u>
Sergeant	\$ 7.08	10.61	17.69
Commissionaires	6.32	9.49	15.81

47. That leave be granted to introduce the following bills:

(a) Bill No. E4 - By-law to authorize:

- (i) The construction of local improvements without petition under Section 12 of the Local Improvement Act on Upper Horning Road;
- (ii) The special assessment to pay a portion of the cost of the works by the abutting owners;
- (iii) The preparation of plans, specifications, and reports and the supervision of the construction by the Regional Commissioner of Engineering.

(b) Bill No. E5 - By-law to authorize:

- (i) The construction of local improvements without petition under Section 12 of the Local Improvement Act on Birge Street;
- (ii) The special assessment to pay a portion of the cost of the works by the abutting owners;
- (iii) The preparation of plans, specifications, and reports and the supervision of the construction by the Regional Commissioner of Engineering.

(c) Bill No. E6 - By-law to authorize:

- (i) The construction of local improvements without petition under Section 12 of the Local Improvement Act on Severn Street;
- (ii) The special assessment to pay a portion of the cost of the works by the abutting owners;
- (iii) The preparation of plans, specifications, and reports and the supervision of the construction by the Regional Commissioner of Engineering.

(d) Bill No. E7 - To Amend By-law 66-100 To Regulate Traffic.

(e) Bill No. E8 - To Amend By-law 66-100 To Regulate Traffic.

Respectfully submitted,

Alderman F. A. Lombardo, Chairman

R.C. Prowse, Secretary
January 8, 1981

(Referred to in Section 23
of the 2nd Report of the Transport
and Environment Committee)

NO. _____
NO _____

DEPARTMENT OF TRANSPORT MINISTÈRE DES TRANSPORTS

AGREEMENT

BETWEEN

HER MAJESTY THE QUEEN

AND

CORPORATION OF THE CITY OF HAMILTON

Date of Authority	...	T.B. 712467 dated July 13, 1977
Date of Agreement	...	
Public Work Concerned	...	Hamilton, Ontario, Airport
Description	...	Airport operations and maintenance subsidy.

DEPARTMENTAL REFERENCE

RÉFÉRENCE DU MINISTÈRE

FILE NO. 5161-120

DOSSIER NO

MEMORANDA

NOTES

OPERATION AND MAINTENANCE SUBSIDY
TRANSPORT CANADA OWNED AIRPORT

THIS AGREEMENT made this day of
One Thousand Nine Hundred and Eighty

B E T W E E N:

HER MAJESTY THE QUEEN, in Right of Canada,
(hereinafter referred to as "Her Majesty")
represented herein by the Minister of
Transport (hereinafter referred to as "the
Minister"),

OF THE FIRST PART;

- and -

THE CORPORATION OF THE CITY OF HAMILTON,
in the Province of ONTARIO, (hereinafter
referred to as "the Corporation"),

OF THE SECOND PART.

WHEREAS the Corporation has applied to Her Majesty for
financial assistance in respect of the operation and maintenance
of an airport situated at or in the vicinity of Hamilton in the
Province of Ontario.

NOW THEREFORE THIS AGREEMENT WITNESSETH that, in
consideration of the premises, the parties hereto hereby mutually
covenant and agree as follows:-

1. Definitions

In the Agreement the following words shall, unless the
context require a different meaning, have the following meanings,
respectively, that is to say:

"Her Majesty" means and includes the reigning Sovereign
or the successors or assigns of the Sovereign and her duly
authorized representatives.

"The Corporation" means and includes the party of the
Second Part as above designated or described, and its successors
and assigns.

"Minister" means the person holding the position, or acting in the capacity of the Minister of Transport for the time being, and includes the person holding the position, or acting in the capacity, of the Deputy Minister of Transport, for the time being and the Minister's duly delegated representatives.

"Regional Administrator" means the person holding the position, or acting in the capacity, of Regional Administrator, Ontario Region of the Department of Transport at Toronto in the Province of Ontario.

"Airport" means the airport located on the property described on the plan annexed hereto as Schedule A.

2. Erection of Structures

No permanent or temporary structure shall be erected within the areas designated, as "Instrument Approach Surface" indicated on the Drawing in blue which shall rise above an elevation greater than a two percent (2.0%) slope as measured from points two hundred (200) feet distant from the ends of the runway and such areas shall be cleared and kept clear, at the expense of the Corporation, of all obstructions to meet the two percent (2.0%) slope as specified herein.

3. Public Airport

The site for the Airport, approved by the Minister, shall be set aside and maintained by the Corporation for purposes in connection with the operation of a licenced public airport.

4. Development

The Corporation shall not at any time undertake any airport development work not in accordance with plans and specifications or any revisions thereof approved by the Minister and shall not consent to the erection or removal or construct or erect any buildings or other structures or the installation of any lights, or make any improvements or change whatsoever, without the consent, in writing, of the Minister.

5. Liability

The approval of any plan or specification by the Minister, or the doing or carrying on of any work or thing by the Corporation subject to the approval, control, direction or satisfaction of the Minister, as provided for under the provisions of this Agreement, shall not relieve or to be taken to relieve the Corporation of any liability, nor impose or be taken to impose any liability on the part of Her Majesty or on the part of the Minister, in any manner based upon, arising out of, or attributable to, any such approval of any such plan or specification or the doing or carrying on of any such work or thing by the Corporation under any of the terms and conditions in this Agreement set out and contained.

6. Operating Subsidy

(1) Upon the Corporation's submission to the Minister of its forecast annual budget, Her Majesty will grant financial assistance to the Corporation by way of an annual operating subsidy to a level approved by the Minister and the maximum level of subsidy shall be determined annually in advance by the Minister.

(2) Advances equal to the operating deficits, not to exceed the maximum approved level of the subsidy, may be made from time to time by Her Majesty to the Corporation, provided that the final payment for each year shall be made only upon receipt of such final statement and supporting documents that may be required by the Minister, and that the Corporation has complied with the terms of this Agreement.

7. Costs and Revenues

(1) The Corporation shall cause to be kept complete records of operating costs and revenues for the airport, such records to be kept according to accepted principles of accounting.

(2) The Corporation shall maintain complete records of accounts and follow such budgetary and financial control procedures as may be issued by the Minister.

(3) The fees and charges levied by the Corporation for the use of the airport and for any services performed in connection therewith shall be not less than the fees and charges that would be obtained if the revenue policies and standards in effect at Her Majesty's airports were applied.

(4) If the Corporation implements pricing practices to develop revenue potential less than would be obtained under Department of Transport revenue policies and standards, the amount of operating subsidy will be reduced accordingly.

8. Ministerial Approval

The Corporation shall not, without the consent in writing of the Minister, being first had and obtained, assume any obligations or make any expenditures under the provisions of this Agreement which is not in accordance with annual operating budgets approved by the Minister.

9. Access

The Minister, his inspectors and/or engineers, shall, at all times and for all purposes, have full and free access to any and every part of the airport.

10. Air Regulations

The Corporation shall abide by the Air Regulations, including any amendments thereto, and all other regulations that may be made from time to time under the provisions of the Aeronautics Act, being Chapter A-3 of the Revised Statutes of Canada, 1970, and the Corporation shall obtain a licence from the Minister under the Air Regulations and amendments thereto, and thereafter the Corporation shall, during the currency of this Agreement, operate the Airport as a public airport, subject to the terms and conditions as the Minister may direct.

11. House of Commons

No member of the House of Commons of Canada shall be admitted to any share or part of this Agreement, or to any benefit to arise therefrom.

12. Idemnity

The Corporation shall at all times indemnify and save harmless Her Majesty from and against all claims and demands, loss, damages, actions, suits or other proceedings by whomsoever made, brought or prosecuted, in any manner based upon, occasioned by or attributable to the execution of this Agreement, or any action taken or things done or maintained by virtue hereof, or the exercise in any manner of rights arising hereunder, except claims for damage resulting from the negligence of any officer or servant of Her Majesty in right of Canada while acting within the scope of his duties or employment.

13. Corporation Provision of Facilities

Without limiting or restricting the generality of the provisions of Clause No.19 hereof, the Corporation shall be responsible for the operation, management and maintenance of the Airport, and all related facilities which, without limiting or restricting the generality of the foregoing, shall include airport services, runways, fences, hangars, shops, terminal and other buildings, airport lighting equipment, and like services, and the Airport shall be maintained in a serviceable condition, all to the satisfaction of the Minister.

14. Navigational Aids, etc.

Her Majesty may supply radio navigational facilities, airway and airport traffic control and meteorological services should the Minister at any time consider that such services are necessary.

15. Transport Provision of Facilities

If the Minister deems that a structure, improvement, equipment or an extension, alteration replacement thereof is required for the operation of the Airport, the provision thereof may either be included in the Transport Canada Air Transportaton Program; or the Minister may authorize the Corporation to construct or alter the structure or improvement or acquire the equipment and thereafter recover the cost thereof in accordance with depreciation rates as determined from time to time by the Minister, provided however, that such construction, alteration, or acquisition shall be strictly in accordance with plans approved by the Minister.

16. Air Movements

The Corporation shall be responsible for the recording of all aircraft movements occurring at the Airport, aircraft movements to consist of landings of aircraft at and departures of aircraft from the Airport. Such records shall be available for examination at any time by the Minister.

17. Termination

This Agreement may be terminated at any time by notice in writing signed by or on behalf of the Minister and either delivered or mailed to the Corporation or any officer of the Corporation:

- (1) if the said airport fails to meet the current Air Traffic Demand Index requirement and fails to receive a Class 1 or Class 2 air carrier service or such other designation as may be determined from time to time by the Minister;
- (2) if the particular funding herein is withdrawn by the Minister;
- (3) if the Corporation fails to perform in accordance with the terms and conditions of this Agreement.

The books of the Corporation shall be open for audit and inspection at all times, during business hours, by the accredited officers of Her Majesty.

It is understood and agreed by and between the parties hereto that nothing herein contained shall obligate Her Majesty to make any payment under this Agreement unless and until the necessary funds have been voted by Parliament in that behalf.

IN WITNESS WHEREOF the parties hereto have executed
these Presents the day and year first above written.

[illegible]

for Minister of Transport

),

was affixed hereto in the presence of its proper officers duly authorized in that behalf.

REPORT OF THE PERSONNEL COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its FIRST Report for 1981 and respectfully recommends:

1. That in accordance with authority granted under The Workmen's Compensation Act, R.S.O. 1970, Ch. 505, S. 8(4), the Personnel Committee recommends payment of the sum of \$860.83 to Mr. Brian Lahie as a result of the injuries sustained by Mr. Lahie in the accident on June 26, 1978. This amount represents the balance remaining of the recovery after all damages and disbursements of the City have been deducted. The Workmen's Compensation Act provides that in the event of a recurrence, the above sum of \$860.83 will be deducted from the amount of any further compensation or other benefits to which Mr. Lahie may become entitled in respect to this accident.
2. That the City Solicitor be authorized and directed to amend by-law number 4797 in regards to fire safety matters as follows:
 - a) To delete various definitions that relate to matters now covered by the Ontario Building Code.
 - b) To delete the provisions relating to the manufacture, use, transportation and storage of explosives because the matters are covered by the Explosives Act T.E.A. (Canada).
 - c) To assure the By-law is clearly applicable for Fire Department application.
 - d) To adjust the By-law so that it applies solely to the better protection of persons and property from unsafe conditions as regards danger from fire.
3. That the Director of Purchases be authorized and directed to carry out a testing program on structural firefighting helmets in order to comply with the Occupational Health and Safety Act, Section 84. Further that the Finance Committee recommend and provide sufficient funds for this project which are estimated at approximately eight hundred dollars (\$800.00).

4. That in accordance with authority granted under The Workmen's Compensation Act, R.S.O. 1970, Ch. 503, S. 8(4), the Personnel Committee recommends payment of the sum of \$1,000.00 to Mr. Alan Leadbetter as a result of the injuries sustained by Mr. Leadbetter in the motor vehicle accident on September 26, 1979. This amount represents the balance remaining of the recovery after all damages and disbursements of the City have been deducted. The Workmen's Compensation Act provides that in the event of a recurrence, the above sum of \$1,000.00 will be deducted from the amount of any further compensation or other benefits to which Mr. Leadbetter may become entitled in respect to this accident.
5. That the City Solicitor be authorized and directed to amend By-law 68-34 as follows in order to remain consistent with the agreement between the Corporation and Local 288, I.A.F.F.:

a) Section 3, Subsection 2
"...probation for six months"

It is proposed therein that the wording be changed to read:

"...probation for one year".

b) Section 6, Subsection 1
"The division of fire-fighting consists of three platoons"... "throughout one of the three eight-hour shifts in the twenty-four."

It is proposed therein that the wording be changed to read:

"The division of firefighting consists of two platoons"... "throughout either the day shift (consisting of a ten-hour duration from 0800 hours to 1800 hours,) or the night shift (consisting of a fourteen-hour duration from 1800 hours to 0800 hours) covering each twenty-four hour period."

c) Section 6, Subsection 2
"...the west district (being that part of the city below the escarpment from Sherman Avenue westerly), the east district (being below the escarpment from Sherman Avenue easterly), and the mountain district."

It is proposed therein that the wording be changed to read:

"...the west district, the east district, and the mountain district."

6. Approval of an account in the amount of \$456.36 to Stringer, Brisbin for professional services rendered for the month of August 1980 with respect to labour relations.
7. Approval of the action of the Personnel Committee in awarding the following purchases:

a) Re: Fire Department & Fire Prevention Bureau

SAINTHILL LEVINE UNIFORMS, Toronto, Ontario.

For the supply and delivery of Uniform & Dress Shirts for Fire Department and Fire Prevention Bureau, in accordance with specifications issued by the Director of Purchases and Vendor's Tender as follows:

Fire Department

28 Sr. Officers White Uniform, Short Sleeve Shirts at \$8.75 Ea.....	\$ 245.00
224 Officers White Dress Shirts, Long Sleeve at \$8.30 Ea.....	1,859.20
8 Officers White Dress Shirts, Short Sleeve at \$7.25 Ea.....	58.00
166 Jr. Officers White Uniform Shirts, Short Sleeve at \$8.75 Ea.....	1,452.50
632 Mens Blue Dress Shirts, Long Sleeve at \$8.30 Ea.....	5,245.60
632 Mens Blue Uniform Shirts, Short Sleeve at \$8.75 Ea.....	5,530.00
8 Ladies Blue Dress Shirts, Long Sleeve at \$8.30 Ea.....	66.40
8 Ladies Blue Uniform Shirts, Short Sleeve at \$7.25 Ea.....	58.00

Fire Prevention Bureau

12 Officers White Dress Shirts, Long Sleeve at \$8.30 Ea.....	99.60
4 Officers White Dress Shirts, Short Sleeve at \$7.25 Ea.....	29.00
8 Jr. Officers White Uniform Shirts, Short Sleeve at \$8.75 Ea.....	70.00
14 Mens Blue Uniform Shirts, Long Sleeve at \$8.30 Ea.....	116.20
14 Mens Blue Uniform Shirts, Long Sleeve at \$8.75 Ea.....	122.50
2 Ladies Dress Blue Shirts, Long Sleeve at \$8.30 Ea.....	16.60
2 Ladies Blue Uniform Shirts, Short Sleeve at \$8.75 Ea.....	17.50
Total Contract.....	\$14,986.10

Ontario Retail Sales Tax Extra at 7%.

Note: Lowest acceptable tender due to delivery problems experienced in 1980 with the lowest bidder for this tender.

TRILLIUM CLEANERS LTD., Hamilton, Ontario.

Dry Cleaning of Uniforms, Laundering of Uniform Shirts for the Fire Department and Fire Prevention Bureau, for the year 1981 in accordance with specifications issued by the Director of Purchases and Vendor's Tender as follows:

Uniform Trousers	\$.90	Each
Uniform Tunics	.90	"
Raincoats	2.35	"
Nylon Parkas	1.80	"
Uniform Shirts	.45	"
Uniform Skirts	1.35	"
Uniform Femal Slacks	.90	"

Note: Lower of 2 tenders.

SAINTHILL LEVINE UNIFORMS, Toronto, Ontario.

Supply and delivery of Uniform Clothing in accordance with specifications issued by the Director of Purchases and Vendor's Tender as follows:

10 Sr. Officers Tunics at \$99.40 Ea.....	\$ 994.00
26 Jr. Officers Tunics at \$97.80 Ea.....	2,542.90
134 Mens Tunics at \$90.65 Ea.....	12,147.10
3 Ladies Tunics at \$90.65 Ea.....	271.95
850 Officers & Mens Trousers at \$29.50 Ea.....	25,075.00
131 Officers & Mens Raincoats at \$69.75 Ea.....	9,137.25
133 Officers & Mens Parkas at \$41.40 Ea.....	5,506.20
5 Ladies Slacks at \$29.50 Ea.....	147.50
5 Ladies Skirts at \$29.50 Ea.....	147.50
	<hr/>
	\$55,969.30

Ontario Retail Sales Tax Extra at 7%.

Note: Lowest of 4 tenders

8. That leave be granted to introduce the following Bills:

- a) Bill F-4 - By-law to appoint a Chief Administrative Officer.
- b) Bill F-5 - By-law to establish the office and prescribe the duties of a Chief Administrative Officer.

Note: Mr. Lou Sage, who will assume the position of Chief Administrative Officer on January 19, 1981, will have the opportunity to further discuss the terms as set out in this by-law with the Personnel Committee on assuming his new responsibilities.

- c) Bill F-6 - By-law to amend By-law No. 4797 respecting various provisions.

9. Approval of the following promotions in the Fire Department:

Firefighter M. Cole to the rank of Lieutenant
Firefighter M. Iszczuk to the rank of Lieutenant
Firefighter J. Warden to the rank of Lieutenant
Lieutenant M. Atkinson to the rank of Captain
Fire Inspector D. Peters to the rank of Fire
Safety Officer

The above promotions to take effect November 30, 1980.

10. Approval of the retirement of Fire Communications Operator G. Ross, Employee No. 76225 effective December 1, 1980. Length of services 34 years and 6 months.
11. Approval of the establishment of the following positions:
- a) Department of Airport Manager - Motor Mechanic Helper at the rate of \$7.68 per hour. That the position of Garage Attendant be deleted from the quota of that Department.
 - b) Cemetery Division - Secretary B, Salary Schedule 110, \$14,339.52, \$14,983.80, \$15,659.80, \$16,363.88, \$17,100.72. With the filling of this position, 1 position of Stenographer III is to be deleted from the quota of the Department.
 - c) Personnel Department - Supervisor of Employee Relations & Human Resources, Salary Grade 113, \$18,153.72, \$18,816.72, \$19,593.60, \$20,514.52, \$21,564.40.
12. Approval of the following reclassifications:
- a) Traffic Department - Accident Report Clerk from E-3, \$222.31, \$230.96, \$241.42 per week to E-4, \$245.55, \$253.89, \$264.31 per week and that the incumbent, Mrs. L. Cooper, be placed in the 1st step of the E-4 range, \$245.55 per week, effective November 3, 1980.
 - b) Cemetery Division - The position of Clerk Typist III, Salary Schedule E-1, \$196.45, \$201.90, \$212.36 per week be reclassified to Stenographer IV, Salary Schedule E-2, \$207.54, \$216.47, \$224.80 per week.

13. Approval of the following appointments:

- a) Mr. Dennis Arnott, Maintenance Co-ordinator, Department of Street Services, Salary Schedule 117, \$24,362.00 to \$29,052.40 per annum. Mr. Arnott to be paid the 3rd step in the salary range of \$26,605.28 per annum, effective October 13, 1980.
- b) Mr. Carmen Gatto, Truck Driver - Labourer, Department of Street Services. Mr. Gatto, who is presently receiving \$7.71 per hour as a Garbageman, is to be paid at the rates of \$7.68 and \$7.59 per hour, effective October 28, 1980. Mr. Gatto is returning to his former position.
- c) Mr. Vincenzo Melo, Foreman I (Districts), Department of Street Services, Salary Schedule 11C, \$19,628.96 to \$23,492.56 per annum. Mr. Melo to be paid the 4th step in the salary range of \$22,304.36 per annum, effective November 10, 1980.
- d) Mr. John Noseworthy, Clerk Investigator, Traffic Department, Salary Schedule A-4, \$262.24 to \$297.59 per week. Mr. Noseworthy to be paid the 5th step in the salary range of \$297.59 per week, effective November 3, 1980.
- e) Mrs. Sheila Rotondi, Invoice Checking Clerk I, Treasury Department, Salary Schedule E-4, \$245.55 to \$264.31 per week. Mrs. Rotondi to be paid the 2nd step in the salary range of \$253.89 per week, effective November 10, 1980.
- f) Mr. Frank Sholdice, Construction Inspector II, Traffic Department, Salary Schedule B-7, \$285.59 to \$345.90 per week. Mr. Sholdice, who is presently receiving \$345.90 per week as a Custodian (Military Museum) at Dundurn Castle, is to assume his new duties with no change in salary, effective October 27, 1980.
- g) Miss Ellen Healey, Mailing List Clerk, Hamilton Place, at the rate of \$8,388.64 per annum, effective November 10, 1980.
- h) Mrs. Stephanie Miller, Payroll Clerk (Temporary), Treasury Department, Salary Schedule A-4, \$262.24 to \$297.59 per week. Mrs. Miller to be paid the 2nd step in the salary range of \$272.66 per week, effective November 10, 1980.
- i) Mrs. Grace Jones, Guide-Cashier (Temporary), Dundurn Castle. Mrs. Jones is to be paid at the rates of \$3.29 and \$3.25 per hour, effective November 1, 1980.

- j) Miss Beverly Couch, Pool Checker (Temporary), Recreation Department. Miss Couch to be paid at the rate of \$3.00 per hour, effective September 29, 1980.
- k) Miss Angela Djuric, Cashier (Temporary), Recreation Department. Miss Djuric to be paid at the rate of \$3.25 per hour, effective September 29, 1980.
- l) Mr. John McGrath, Caretaker, Real Estate Department, Property Maintenance Division, Salary Schedule B-2. Mr. McGrath to be paid at the rate of \$248.22 per week, effective November 10, 1980.
- m) Mr. John Winder, Head Guide, Dundurn Castle, Salary Schedule 109, \$13,278.20 to \$15,834.52 per annum. Mr. Winder to be paid the 1st step in the salary range of \$13,278.20 per annum, effective November 10, 1980.
- n) Approval of the temporary appointment of the following cashiers in the Department of the Director of Recreation at the rate of \$3.25 per hour. These are temporary additional staff.

<u>Name</u>	<u>Effective Date</u>
Mr. John Carruthers	November 17, 1980
Mr. Glen Paterson	November 8, 1980

- o) Miss Mary-Jo Dunn, Red Cross Instructor (Temporary), Recreation Department. Miss Dunn to be paid at the rate of \$3.50 per hour, effective November 16, 1980.
- p) Approval of the temporary appointment of the following Community Sports Organizers in the Department of the Director of Recreation at the rate of \$3.25 per hour. These are temporary additional staff.

<u>Name</u>	<u>Effective Date</u>
Mr. Rob Houston	October 6, 1980
Miss Susan Law	October 20, 1980
Mr. Michael Pecore	October 23, 1980
Ms. Kathy Shipton	September 30, 1980

- q) Miss Margaret McKinnon, Fitness Instructor, Recreation Department. Miss McKinnon to be paid at the rate of \$5.00 per hour, effective October 6, 1980. This is temporary additional staff.

- r) Approval of the temporary appointment of the following Rink Checkers in the Department of the Director of Recreation at the rate of \$3.00 per hour. These are temporary additional staff.

<u>Name</u>	<u>Effective Date</u>
Mr. Glenn Monaco	October 11, 1980
Miss Patricia Vizgirda	November 4, 1980

- s) Mrs. Rossana Calcagni, Typist Clerk II, Treasury Department, Salary Schedule E-2, \$207.54 to \$224.80 per week. Mrs. Calcagni to be paid the 3rd step in the salary range of \$224.80 per week, effective November 17, 1980.
- t) Mrs. Thelma Restivo, Invoice Checking Clerk II, Treasury Department, Salary Schedule E-3, \$222.31 to \$241.42 per week. Mrs. Restivo to be paid at the rate of \$249.74 per week, effective November 17, 1980.
- u) Mr. Peter Gravelle, Rink Attendant (Temporary), Recreation Department. Mr. Gravelle is presently receiving \$7.59 per hour and is to assume his new duties with no change of salary, effective November 1, 1980.
- v) Mr. Bert Szucs, Rink Attendant (Temporary), Recreation Department. Mr. Szucs is presently receiving \$7.59 per hour and is to assume his new duties with no change in salary, effective November 17, 1980.
- w) Mr. Brian Patrick, Information Clerk, City Clerk's Department, Salary Schedule B-3, \$252.37 to \$281.48 per week. Mr. Patrick to be paid the 1st step in the salary range of \$252.37 per week, effective November 29, 1980.
- x) Miss Mary Carson, Community Sports Organizer (Temporary), Recreation Department. Miss Carson to be paid at the rate of \$3.25 per hour, effective November 25, 1980.
- y) Miss Louise Smit, Pool Checker (Temporary), Recreation Department. Miss Smit to be paid at the rate of \$3.00 per hour, effective October 2, 1980.
- z) Mr. Cosimo Amore, Garbageman, Department of Street Services. Mr. Amore is presently receiving \$7.59 and is to be paid at the rate of \$7.71 per hour, effective December 15, 1980.

- aa) Mr. Fred Barker, Garbageman, Department of Street Services. Mr. Barker is presently receiving \$7.59 per hour and is to be paid at the rate of \$7.71 per hour, effective December 15, 1980.
- bb) Mr. Andries Boers, Foreman II (Districts), Department of Street Services, Salary Schedule 12C, \$18,141.76 to \$21,665.80 per annum. Mr. Boers to be paid the 3rd step in the salary range of \$19,628.96 per annum, effective December 15, 1980.
- cc) Miss Helen Rosemary Fleming, Stenographer II, City Clerk's Department, Salary Schedule E-4, \$245.55 to \$264.31 per week. Miss Fleming is presently receiving \$245.55 per week as a temporary Stenographer II, and is to assume her duties with no change in salary, effective December 15, 1980.
- dd) Mr. Charles Gibbs, Foreman III (Districts), Department of Street Services, Salary Schedule 13C, \$16,805.36 to \$20,015.32 per annum. Mr. Gibbs to be paid the 1st step in the salary range of \$16,805.36 per annum, effective December 15, 1980.
- ee) Mrs. Betty Goddard, Stenographer III, City Clerk's Department, Salary Schedule E-3, \$222.31 to \$241.42 per week. Mrs. Goddard is presently receiving \$230.96 per week as a temporary Stenographer III, and is to assume her duties with no change in salary, effective December 15, 1980.
- ff) Mr. Peter Gravelle, Garbageman, Department of Street Services. Mr. Gravelle is presently receiving \$7.59 per hour and is to be paid at the rate of \$7.71 per hour, effective December 15, 1980.
- gg) Mr. Ross Holland, Assistant Supervisor - Payroll Control, Treasury Department, Salary Schedule 112, \$16,860.48 to \$19,967.48 per annum. Mr. Holland to be paid the 5th step in the salary range of \$19,967.48 per annum, effective December 15, 1980.
- hh) Mr. Leslie Major, Foreman III (Districts), Department of Street Services, Salary Schedule 13C, \$16,805.36 to \$20,015.32 per annum. Mr. Major to be paid the 1st step in the salary range of \$16,805.36 per annum, effective December 15, 1980.
- ii) Mr. Basil Maraj, Foreman III (Districts), Department of Street Services, Salary Schedule 13C, \$16,805.36 to \$20,015.32 per annum. Mr. Maraj to be paid the 1st step in the salary range of \$16,805.36 per annum, effective December 15, 1980.

- jj) Mr. Ross Sommers, Traffic Serviceman II, Traffic Department, Salary Schedule A-3, \$243.56 to \$278.82 per week. Mr. Sommers to be paid the 2nd step in the salary range of \$253.89 per week, effective December 15, 1980.
- kk) Mr. Ronald Southern, Receiver Shipper and Stock Clerk, Traffic Department, Salary Schedule B-4, \$266.90 to \$298.11 per week. Mr. Southern to be paid the 4th step in the salary range of \$298.11 per week, effective December 15, 1980.
- ll) Mrs. Tina Wilcox, Taxation Clerk IV (Cashier), Treasury Department, Salary Schedule E-4 \$245.55 to \$264.31 per week. Mrs. Wilcox to be paid the 2nd step in the salary range of \$253.89 per week, effective December 8, 1980.
- mm) Miss Irmgard Wilk, Taxation Clerk IV (Cashier) (Temporary), Treasury Department, Salary Schedule E-4, \$245.55 to \$264.31 per week. Miss Wilk to be paid the 1st step in the salary range of \$245.55 per week, effective December 8, 1980.
- nn) Mrs. Rossana Calcagni, Taxation Clerk IV (Cashier) (Temporary), Treasury Department, Salary Schedule E-4, \$245.55 to \$264.31 per week. Mrs. Calcagni to be paid the 1st step in the salary range of \$245.55 per week, effective December 8, 1980.
- oo) Mr. Michele D'Agata, Motor Mechanic Helper, Department of Street Services, Central Garage Division. Mr. D'Agata is presently laid off and is to be paid at the rate of \$7.76 per hour, effective December 15, 1980.
- pp) Mrs. Helen Davidson, Stenographer III (Temporary), Department of Street Services, Cemetery Division, Salary Schedule E-3, \$222.31 to \$241.42 per week. Mrs. Davidson to be paid the 2nd step in the salary range of \$230.96 per week, effective December 15, 1980.
- qq) Mr. Michael Holmes, Rink Attendant (Temporary), Recreation Department. Mr. Holmes is presently laid off and is to be paid at the rate of \$7.59 per hour, effective December 5, 1980.
- rr) Miss Juliette McIver, Community Sports Organizer (temporary), Recreation Department. Miss McIver is presently receiving \$3.25 per hour and is to assume her new duties with no change in salary, effective October 20, 1980.

- ss) Mr. Douglas Nuttall, Cashier (King's Forest) (Temporary), Recreation Department. Mr. Nuttall is presently receiving \$3.00 per hour and is to be paid at the rate of \$3.25 per hour, effective December 8, 1980.
- tt) Miss Nancy Setterlund, Guide/Demonstrator (Temporary) Dundurn Castle. Miss Setterlund is presently receiving \$3.77 per hour and is to be paid at the rates of \$3.29 and \$3.77 per hour, effective September 5, 1980.
- uu) Miss Kimberly Brooks, Personnel Clerk III, Personnel Department, Salary Schedule 107, \$11,384.36 to \$13,578.76 per annum. Miss Brooks to be paid the 1st step in the salary range of \$11,384.36 per annum, effective December 15, 1980.
- vv) Miss Deborah Gerrior, Community Sports Organizer (Temporary), Recreation Department. Miss Gerrior to be paid at the rate of \$3.25 per hour, effective December 4, 1980.
- ww) Miss Bonnie McLean, Fitness Instructor (Temporary), Recreation Department. Miss McLean to be paid at the rate of \$5.00 per hour, effective December 10, 1980.
- xx) Miss Anila Noronha, Cashier (Temporary), Recreation Department. Miss Noronha to be paid at the rate of \$3.25 per hour, effective November 21, 1980.
- yy) Mr. Ronald Thornberry, Programmer II, Treasury Department, Salary Schedule A-11, \$354.74 to \$419.15 per week. Mr. Thornberry is presently receiving \$194.00 per week as a temporary student and is to be paid the 1st step in the salary range of \$354.74 per week, effective December 29, 1980.
- zz) Mr. Giuseppe Virgulti, Traffic Meter Foreman, Traffic Department, Salary Schedule 14A, \$15,637.44 to \$18,470.92 per annum. Mr. Virgulti is presently receiving \$16,802.75 per annum as a temporary serviceman and is to be paid the 3rd step in the salary range of \$16,860.48 per annum, effective December 22, 1980.
- aaa) Mr. Pietro Fidanza, Rink Attendant (Temporary), Recreation Department. Mr. Fidanza is presently laid off and is to be paid at the rate of \$7.59 per hour, effective December 22, 1980.
- bbb) Mr. Goffredo Calcagni, Programmer II, Treasury Department, Salary Schedule A-11, \$354.74 to \$419.15 per week. Mr. Calcagni is to be paid the 1st step in the salary range of \$354.74 per week, effective December 29, 1980.

- ccc) Mr. Joseph Morden, Motor Mechanic, Department of Street Services, Central Garage Division. Mr. Morden to be paid at the rate of \$8.87 per hour, effective December 15, 1980.

14. Approval of the following resignations:

- a) Mr. John Herski, By-law Enforcement Constable, Traffic Department, effective December 31, 1980.
- b) Mr. Edward Novak, Landscape Architect, Recreation Department, Effective January 2, 1981.
- c) Mr. Gerald Riley, temporary Operator (3rd Class Stationary Engineer), Department of the City Engineer, Central Utilities Plant, effective January 4, 1981.
- d) Mr. Andrew Baran, Lead Hand (Trees), Department of Street Services, effective November 28, 1980.
- e) Mr. Rudolf Buettgen, Assistant Electrical Engineer, Department of City Engineer, effective November 28, 1980.
- f) Mr. Gordon Lee, Traffic Serviceman II, Traffic Department, effective October 31, 1980.
- g) Mr. Granville Morse, Office Manager and Committee Secretary, Traffic Department, effective December 8, 1980.
- h) Miss Jo-Ann Cascagnette, temporary Cashier, Recreation Department, effective November 16, 1980.
- i) Acceptance of the resignation of the following temporary Community Sports Organizers, Recreation Department, effective December 4, 1980.

Name

Mr. Robert Freeborn
Miss Susan Law

- j) Miss Margaret McKinnon, temporary Fitness Instructor, Recreation Department, effective December 3, 1980.
- k) Mr. Anthony Reid, Motor Mechanic, Department of Street Services, Central Garage Division, effective November 28, 1980.

- 1) Acceptance of the resignation of the following temporary Red Cross Instructors, Recreation Department.

<u>Name</u>	<u>Effective Date</u>
Mr. Paul Kocot	November 28, 1980
Miss Lynne Lortie	November 25, 1980
m) Miss Lina Storti, temporary Community Sports Organizer, Recreation Department, effective November 18, 1980.	
n) Mrs. Marilyn Botting, Key Punch Operator I, Treasury Department, effective October 31, 1980.	
o) Mr. John Canary, Foreman III (Districts), Department of Street Services, effective October 31, 1980.	
p) Miss Cynthia Privett, Lifeguard I, Recreation Department, effective November 23, 1980.	
q) Mrs. Valerie Stuart, Personnel Clerk II, Personnel Department, effective November 21, 1980.	
r) Acceptance of the resignation of the following temporary Cashiers (Part-time), Parking Authority.	

<u>Name</u>	<u>Effective Date</u>
Mr. Andrew MacKenzie	October 6, 1980
Mr. John Gysbers	September 6, 1980

15. Approval of the following terminations:

- a) Mr. Donald Bradfield, temporary Caretaker, Real Estate Department, Property Maintenance Division, effective December 31, 1980.
- b) Mr. Robert Laidlaw, Programmer II, Treasury Department, effective December 19, 1980.
- c) Mr. Hugh Leo Phillips, Wage and Salary Research Officer, Personnel Department, effective December 12, 1980.

2nd FL

MEETING OF CITY COUNCIL

January 27, 1981

A G E N D A

- A Finance Committee
- B Legislation Committee
- C Parks and Recreation Committee
- D Planning and Development Committee
- E Transport and Environment Committee
- F Personnel Committee
- J By-laws

REPORT OF THE FINANCE COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:-

The Finance Committee presents its THIRD Report and respectfully recommends:-

1. That Mr. B. Robertson, Real Estate Department be authorized to attend a Training Course sponsored by the Real Estate Right-of-Way Association, to be held at Toronto, Ontario, February 4th to 6th, 1981.
2. That the Mayor and City Clerk be authorized to execute a lease between the City of Hamilton and G. S. Dunn and Company Limited, for the leasing of the property at 86 Park Street North on a month-to-month basis for a rental of \$250.00 per month, plus taxes and utility charges, with a provision that the City will give two months notice for termination of the lease.

Note: For the information of the Members of City Council, 86 Park Street North Limited will be leasing this property to G. S. Dunn and Company Limited, 80 Park Street North, who in turn will sub-lease this property to the City of Hamilton for operation as a parking lot by the Parking Authority of the City of Hamilton.
3. Approval of the payment of membership fees in the amount of \$4,585.57 for the 1981 membership of the City of Hamilton in the Association of Municipalities of Ontario.
4. Approval of the awarding of the following contracts:-

VARIOUS DEPARTMENTS

ANNUAL SUPPLY CONTRACTS FOR THE PERIOD FROM FEBRUARY 1ST, 1981 to JANUARY 31ST, 1982.

Annual Supply Contracts resulting from a tender call initiated by the Regional Engineer on behalf of the Region and the City, taking into account all factors, the following is recommended.

CHEMICALS

CANADIAN INDUSTRIES LTD., Toronto, Ontario.

Liquid Chlorine in 68 Kg Cylinders - Delivered to various locations,
Federal Sales Tax Included, Ontario Retail Sales Tax Extra.

\$ 1.079 Kg

Deposit on returnable cylinders at \$175.00 each.

Muriatic Acid in 22.5 Kg Containers - Delivered to various locations,
Federal Sales Tax Included, Ontario Retail Sales Tax Extra.

\$.33 Kg

Deposit on returnable containers at \$7.00 each.

70% Calcium Hypochlorite Chlorinating Compound in 45.4 Kg. Drums
Delivered to various locations, Federal Sales Tax Included,
Ontario Retail Sales Tax Extra.

\$ 134.27 Drum (65%)

Chlorine - Firm price until March 31, 1981, thereafter calendar quarterly
price protection with 30 days advance written notice of increase.

Muriatic Acid - Calendar quarterly price protection with 15 days advance
written notice of increase.

Calcium Hypochlorite - 15 days advance written notice of increase.

HARRISONS & CROSFIELD (CANADA) LTD., Toronto, Ontario

Dense Soda Ash in 45.4 Kg. Bags - Delivered to various locations,
Federal Sales Tax Included, Ontario Retail Sales Tax Extra.

\$.3270 Kg - Min. 40 bags

Ground Aluminum Sulphate in 45.4 Kg. Bags. Delivered to various locations,
Federal Sales Tax Included, Ontario Retail Sales Tax Extra.

\$.29988 Kg. Min. 40 Bags

Prices subject to quarterly price protection with 30 days advance written
notice of change.

ALLIED CHEMICAL CANADA LTD., Toronto, Ontario.

Flake Calcium Chloride in 45.4 Kg. Bags - Delivered to City Yards,
Federal Sales Tax and Ontario Retail Sales Tax Extra if applicable.

\$.17874 Kg.

Prices subject to adjustment upon 30 days advance written notice of change.

PETROLEUM PRODUCTS

TEXACO CANADA INC., Toronto, Ontario.

GASOLINE - Tank Wagon

Type "A" - Regular Unleaded - \$.2675 Litre

Type "B" - Regular Leaded - \$.2525 Litre

Diesel Fuel Oil - \$.2490 Litre

Posted prices subject to change without notice.

Discounts firm.

SHELL CANADA LTD., Toronto, Ontario.

Lubricating Oil, Heavy Duty, Multi Grade, Federal Sales Tax Included,
Ontario Retail Sales Tax Extra

10W-30 - Shell Rotella S Multigrade - \$.6580 Litre - Steel Drums
 .6580 Litre - Tank Wagon(2700 L Min.)

20W-40 - Shell Rotella S Multigrade - .6580 Litre - Steel Drums
 .6580 Litre - Tank Wagon(2700 L Min.)

.7580 Litre - 1 Litre Cans

15W-40 - Shell Rotella T Multigrade - .8080 Litre - Steel Drums

.9080 Litre - 1 Litre Cans

Lubricating Oil, Heavy Duty, Single Grade, Federal Sales Tax Included
Ontario Retail Sales Tax Extra.

SAE 10 - Rotella T Single Grade - \$.8480 Litre - 1 Litre Cans

SAE 30 - Rotella T Single Grade - .7480 Litre - Steel Drums

Lubricating Oil, Heavy Duty, Single Grade (for Detroit Diesels and Small 4 Cycle Engines) Federal Sales Tax Included, Ontario Retail Sales Tax Extra.

SAE 20-W-20 - Rotella Single Grade - \$.5880 Litre - Steel Drums

SAE 30 Rotella Single Grade - .5880 Litre - Steel Drums

Lubricating Oil, Two Cycle Engines, Federal Sales Tax Included.
Ontario Retail Sales Tax Extra.

Shell Super Outboard - \$ 1.53 Litre - Steel Drums

1.93 Litre - Cases 20 x 500 ml

Lubricating Oil, Hydraulic Systems NOT including Gradalls, Extension Vehicles, Federal Sales Tax Included, Ontario Retail Sales Tax Extra.

Shell Decol 32 - \$.5650 Litre - 205 L Drum

Lubricating Oil, Hydraulic Systems for use in Gradalls, Aerial Boom Trucks, Extension Vehicles, Backhoes. Federal Sales Tax Included, Ontario Retail Sales Tax Extra.

Lowtherm 32 - \$.8050 Litre - 205 L Drums

Lubricant Grease, Multi-Duty, Federal Sales Tax Included, Ontario Retail Sales Tax Extra.

Shell MP Grease MDS - \$ 1.94 Kg - 55 Kg Drums

1.85 Kg - 180 Kg Drums

1.0680 Tube - 400 g cartridges or tubes

Lubricant, Gear, Multi-Purpose, Federal Sales Tax Included. Ontario Retail Sales Tax Extra.

Shell Spirz HD 80W/90 - \$.9700 Litre - 60 L Containers - Grade 90

Shell Spirax HD 140 - .9700 Litre - 60 L Containers - Grade 140

.8800 Litre - 205 L Containers- Grade 140

Automatic Transmission Fluid. Federal Sales Tax Included, Ontario Retail Sales Tax Extra.

Fluid for Ford Vehicles

Shell Donax T-F - \$ 1.0600 Litre - 205 L Drums

1.3400 Litre - 1 Litre Cans

Dexron

Shell Donax T-G - \$.8400 Litre - 205 L Drums

1.1200 Litre - 1 Litre Cans

Prices subject to change without notice. Thirty days prior notice of desire to re-negotiate discount. Returnable container charge \$23.00.

GULF CANADA LTD., Toronto, Ontario.

Illuminating Oil, Kerosene

Ontario Sales Tax Exempt for Heating Purposes Only.

Ontario Sales Tax Extra for Cleaning, Etc., Etc.

Kerosene - \$.2805 Litre - 205 L Drums

Petroleum Spirits (Mineral Spirits)

Gulfsol - \$.3220 Litre - 205 L Drums

Discounts as shown will remain firm for a period of one year.

Returnable 205 L Drums extra at \$25.00 each. Freight to be prepaid by customer to original point of shipment.

AGGREGATES

CANADA CRUSHED STONE, FIV. STEETLEY IND. LTD. Hamilton, Ontario.

Crushed Stone - Delivery "A" - Loaded on City trucks at suppliers plant.

Per Metric Tonne

Granular "A"	\$	3.40
19 mm Blend		3.40
19 mm Clear		3.40
9.5 mm Chips (washed)		3.65
6.4 Chips (washed)		3.65
53 mm Clear		3.40
19 mm Crusher Run		3.40
53 mm Crusher Run		3.40
Rubble Stone		3.85

Delivery "C" Delivery to Zone 11

Granular "A"	5.25
19 mm Blend	5.35
19 mm Clear	5.35
9.5 mm Chips (washed)	5.50
6.4 mm Chips (washed)	5.50
53 mm Clear	5.50
19 mm Crusher Run	5.25

NATIONAL SLAG LTD., Hamilton, Ontario.

Slag - Delivery "A" Loaded on City Trucks at supplier's plant

Per Metric Tonne

Granular "A"	\$	3.90
19 mm Crusher Run		3.90
19 mm		4.25
9.5 mm		5.00

Delivery "C" Delivery to Zone 11

Granular "A"	5.99
19 mm Crusher Run	5.99
19 mm	6.34
9.5 mm	6.83

MIXED PORTLAND CEMENT CONCRETE

THE PREMIER GROUP, Stoney Creek, Ontario.

Mixed Concrete - Federal & Ontario Retail Sales Taxes Included.

<u>Delivery in Supplier's Truck within City Limits</u>	<u>Per m³</u>
Roadway Concrete	\$ 58.00
Sidewalk Concrete	58.00
2% Calcium Chloride	1.25
Heat	4.00

Overtime Charges

After 5:00 p.m. and before 7:00 p.m. - \$ 4.00 m³
After 7:00 p.m. and before 9:00 p.m. - 6.50 "
After 9:00 p.m. and before 7:00 a.m. - 10.50 "

Underload Charges

1 m³ - \$25.00 per load
2 " 20.00 " "
3 " 15.00 " "
4 " 10.00 " "

Cost for Multiple Dropoff - 30 minutes per load or 10 minutes per m³ is allowed to discharge load. Additional time assessed at the rate of \$36.00 per hour (\$.60 per minute).

DELTA READY MIX, Hamilton, Ontario.

Mixed Concrete - Federal Sales Tax & Ontario Sales Tax Included.

<u>Picked up by City Trucks at supplier's plant.</u>	<u>Per m³</u>
Roadway Concrete	\$ 55.20
Sidewalk Concrete	56.20
2% Calcium Chloride	1.25
Heat	4.00

RED-D-MIX CONCRETE, Hamilton, Ontario.

Mixed Concrete - Federal Sales Tax & Ontario Sales Tax Included.

Picked up by City Trucks at supplier's plant. Per m³

Roadway Concrete	\$ 58.25
Sidewalk Concrete	58.25
2% Calcium Chloride	1.25
Heat	4.00

CULVERT PIPE

CORRUGATED PIPE CO., Stratford, Ontario.

Culvert Pipe - Price Per Unit, F.O.B. various yards. Federal & Ontario Sales Taxes Exempt.

8" x 16 ga. Corrugated	- \$2.51
8" x 16 ga. Couplers	N/C
10" x 16 ga. Corrugated	- \$3.38
10" x 16 ga. Couplers	N/C
12" x 16 ga. Corrugated	- \$4.05
12" x 16 ga. Couplers	\$4.05
15" x 16 ga. Corrugated	- \$4.93
15" x 16 ga. Couplers	\$4.93
18" x 16 ga. Corrugated	- \$5.83
18" x 16 ga. Couplers	\$5.83
21" x 16 ga. Corrugated	- \$6.86
21" x 16 ga. Couplers	\$6.86
24" x 16 ga. Corrugated	- \$7.74
24" x 16 ga. Couplers	\$7.74
11" x 18" x 16 ga. Corrugated	- \$5.67
11" x 18" x 16 ga. Couplers	\$5.67

FAWCETT METAL PRODUCTS LTD., Waterloo, Ontario

Guide Rail - Price Per Unit, Delivered various locations, Federal Sales Tax Included, Ontario Retail Sales Tax Exempt.

1/2" Galv. Guide Rail, Cable Grade 110 Class "A" in 1000' rolls - \$29.95 Ft.
Galv. End Fittings Complete with wedges - \$28.29.

ASPHALTIC CONCRETE & BITUMINOUS MATERIALS

RED-D-MIX CONCRETE CO., Hamilton, Ontario.

Asphaltic Concrete - Price Per Ton

Delivery "A" Loaded on City Trucks at contractor's plant, April 15 to December 31.

Sand Sheet Asphalt Surface Course - \$29.90

Steel Slag Asphalt - \$25.35

Stone Filled Sheet Asphalt Surface Course (H.M.3) - \$27.90

Asphalt Binder Course H.M.5 - \$24.65

Delivery "A-1" Loaded on City Trucks at Contractor's plant, January 1 to April 15

Daily Standby Charges - \$365.00

Delivery "C" Supplied within City Limits

Sand Sheet Asphalt Surface Course - \$35.90

Steel Slag Asphalt - \$31.35

Stone Filled Sheet Asphalt Surface Course (H.M.3) - \$34.90

Asphalt Binder Course H.M.5 - \$31.15

Unit rate for supplying Liquid Asphalt Cement Under Delivery

"A-1" Per Gal.

"A" Per Gal.

\$2.50

\$2.50

Hot Liquid Asphalt for Winter Patching, Price Per Gallon picked up at Supplier's Plant - \$2.50

TARO AGGREGATES, Hamilton, Ontario

Hot Mix (Cold Laying) Stockpiles Asphaltic Concrete - Price Per Ton

Delivery "A" Loaded on City Trucks at Supplier's Plant - \$28.45

CANADA CRUSHED STONE, Hamilton, Ontario.

Hot Mix (Cold Laying) Stockpiles Asphaltic Concrete - Price Per Ton

Delivery "A" Loaded on City Trucks at Supplier's Plant - \$27.00

T. J. POUNDER LTD., Brampton, Ontario.

Bituminous Materials - Price Per Gallon, F.O.B. Various City Yards. Federal Sales Tax Included, Ontario Retail Sales Tax Exempt.

M.T.C. Primer - Delivered in tank trucks - minimum 3,000 gallon capacity

\$.961.

.910 - Emulsion Prime

Price subject to change with 30 days notice.

NORJOHN CONTRACTING LTD., Thorold, Ontario.

Bituminous Materials - Price Per Gallon, Federal Sales Tax Included, Ontario Sales Tax Exempt.

Delivered in tank trucks to City Yards, minimum 3,000 gallon capacity

Cationic Asphalt Emulsion RS-1K - \$.799

Additional Cost to supply a tank for duration of contract - No Charge
Throughout surcharge to fill storage tanks - No Charge

AUTOMOTIVE SUPPLIES FOR VARIOUS DEPARTMENTS

EASTERN AUTO ELECTRIC, Hamilton, Ontario.

Batteries - Motorcraft Jobber less 20% (Acid Included)

Ignition Parts - Motorcraft Jobber less 12%

Electrical Parts - Nesco Jobber less 20%, Labour repair rate \$18.00 Hr.

Spark Plugs - Motorcraft Jobber less 15%

BARTON AUTO PARTS LTD., Hamilton, Ontario.

Wiper Blades - Trico Jobber less 2%

Belts & Hose - Gates Jobber less 2%

Spark Plugs - AC Jobber less 2%

K & E AUTO SUPPLY LTD., Hamilton, Ontario.

Filters - Fram Jobber less 11%

Spark Plugs - Champion Jobber less 4%

ACME AUTOMOTIVE, Hamilton, Ontario.

Lights & Mirrors - Dominion Auto Jobber less 25%

NOTE: The above Automotive Supplies are the lowest of 15 quotations.

5. Section 7 of the Third Report of the Transport and Environment Committee makes reference to an encroachment at 93 Alpine Avenue. The Finance Committee recommends that the encroachment fee be \$10.00 per annum, plus an insurance fee of \$25.00 per annum.
6. Section 8 of the Third Report of the Transport and Environment Committee makes reference to an encroachment at 176 Beach Road. The Finance Committee recommends that the encroachment fee be \$30.00 per annum, plus an insurance fee of \$25.00 per annum.
7. Section 13 of the Third Report of the Transport and Environment Committee makes reference to the replacement of the radio communications system of the City of Hamilton at an estimated cost of \$451,000.00.

The Finance Committee recommends that Section 13 of the Third Report of the Transport and Environment Committee be referred to the Capital Budget Committee for its consideration as to the method of financing which will be reported to City Council following the review of the 1981 - 1985 Capital Budget.

8. That the prelevy residential and non-residential mill rates for 1981 be established at figures slightly below 50% of the 1980 respective mill rates as follows:
 1. (a) That a real property tax prelevy mill rate of 85 mills be established for 1981 to be billed in two instalments of 42.5 mills each, payable February 27th and April 30th, 1981. This prelevy rate represents 49.458% of the 1980 residential mill rate.
 - (b) That a business tax prelevy mill rate of 101 mills be established for 1981, to be billed in one instalment, payable February 27th, 1981. This prelevy rate represents 49.952% of the 1980 non-residential mill rate.
 2. That a non-metered water and sewer surcharge prelevy be established on behalf of the Regional Municipality of Hamilton-Wentworth, based on approximately 50% of the 1980 charge, to be billed in two equal instalments, payable February 27th and April 30th, 1981.
9. That the City Solicitor be authorized and directed to prepare a deed of 70 Vansitmart Avenue in favour of Mr. Armando Cagnin, the defaulting owner, or his assigns, and that the Mayor and City Clerk be authorized to execute the document and that the City Solicitor be authorized and directed to apply to the Ministry of Intergovernment Affairs for approval of the giving of the deed.

Note: The taxes on this property were in arrears. The City registered a Tax Arrear Certificate and thereupon title vested in the City. The lands were not redeemed within the one-year redemption period. The Municipal Affairs Act provides that even after that time, a person with a legal interest in the land may recover it, provided -

- (i) the City has not sold it or declared it to be required for the purposes of the City.
The City has not sold the lands and they are not required for the purposes of the City, and
 - (ii) the person pays the taxes, penalties, interest and costs which in this case amount to \$4,707.40.
10. That the City Solicitor be directed to prepare, and the City Clerk to have executed, a correcting deed from the City in favour of Ernest Hollo and Mary Ann Chrysler, present owners of the lands, now known as 163 Picton Street East.
- Council at its meeting of June 29, 1943, in adopting Item 18(g) of the Report of Board of Control, authorized the sale of the property which was then vacant land and known as part of Lots 10 and 11, Archibald Ferguson Survey, R.P. 61. The deed was prepared in favour of Daniel Jevons and his wife Lily Jevons and handed over in exchange for the purchase price. The deed was registered. The property has changed hands at least once since 1943 and has now been resold. It has just been discovered that although the 1943 deed from the City was signed by the Mayor and City Clerk, the City's seal was not put on; accordingly, title did not pass. The correcting deed will remedy the situation.
11. That the City Treasurer be authorized and directed to turn over to the Canadian Football Hall of Fame Management Committee, the museum grant received from the Province of Ontario in the amount of \$12,408.00 in order that the funds may be used in connection with the operation of the Canadian Football Hall of Fame.
12. Approval of the establishment of a policy respecting luncheons and dinners in accordance with the following:-
- (a) For luncheons and dinners associated with the conducting of City business an all-inclusive limit of \$10.00 per person for lunches and \$17.00 per person for dinners.
 - (b) If time permits prior approval, requests for holding such events shall be submitted to the Finance Committee.
 - (c) If time does not permit prior approval, requests for holding such events shall be submitted to the Mayor.

- (d) All accounts for payment shall be submitted to the Finance Committee.
- (e) Application may be made to the Finance Committee for a variance from this policy for special occasions.

13. That leave be granted to introduce the following Bills:-

- (a) By-law to Borrow the Sum of \$10,000,000.00 to Finance Authorized Capital Projects Pending the Sale of Debentures for Projects Authorized as at December 31, 1980.
- (b) By-law to Amend Main Hamilton Public Library, Farmer's Market and Architect's Fees By-laws.

RESPECTFULLY SUBMITTED,

ALDERMAN P. O. VALERIANO,
CHAIRMAN,
FINANCE COMMITTEE.

R. M. Collier, Secretary.
January 22, 1981.





REPORT OF THE LEGISLATION COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its FOURTH Report and respectfully recommends:

GRANTS AND CIVIC HOSPITALITY

1. That a grant in the amount of \$1,000.00 be made to Rizzo's Karate to assist in defraying the cost of staging the 5th Annual Ontario Provincial Open Karate Championships and Canadian National Team Championships to be held at McMaster University Sports Complex on April 4, 1981. Estimated attendance, 1,000 competitors.
2. That a grant in the amount of \$500.00 be made to the Ontario Genealogical Society to assist in defraying the cost of holding "Seminar '81" to be held at McMaster University, May 15 - 17, 1981. Estimated Attendance, 500 delegates.
3. That a grant in the amount of \$500.00 be made to the Canadian Federation of Music Teachers' Association to assist in defraying expenses in connection with a banquet to be part of their annual convention to be held at McMaster University from July 6 - 10, 1981. Estimated attendance, 500 delegates.
4. That a grant in the amount of \$200.00 be made to the Grand Court, Order of the Amaranth, Province of Ontario, to assist in defraying expenses in connection with their annual convention to be held in the City of Hamilton from May 28 - 30, 1981. Estimated attendance, 200 delegates.
5. That a grant in the amount of \$700.00 be made to the Grand Chapter of Royal Arch Masons of Canada to assist in defraying expenses in connection with their Grand Convocation to be held in the City of Hamilton from April 14 - 16, 1981. Estimated attendance, 700 delegates.
6. That a civic dinner be provided to the delegates attending the annual conference of the Municipal Law Enforcement Officers' Association to be held in the City of Hamilton from September 20 - 23, 1981. Estimated attendance, 300 delegates.

CITY HALL FACILITIES

7. That permission be granted to the Salvation Army, Hamilton Temple, to hold their summer Sunday services in front of the City Hall during July and August, 1981.

RESOLUTIONS

8. That the following resolutions be endorsed:

(a) City of Hamilton

"That the Premier of Ontario be requested to amend the relevant legislation to provide:

- a) that the appropriate Ministry, in consultation with the manufacturers of motor vehicles and other interested bodies, establish an acceptable and measurable level of noise created in the operation of motor vehicles which would be deemed not excessive;
- b) the implementation of some form of licensing or identification of mini bikes and trail bikes as an additional form of control."

(b) City of Waterloo and the City of Cambridge

"WHEREAS the City of Waterloo has received an Arbitration Award increasing salaries in the Fire Service by 15.4% as of December 1st, 1980 along with pension improvements which add an additional 12% cost and;

WHEREAS the rationale used by the majority of this Board of Arbitration for awarding these increases was a comparison of Police and Fire salaries and benefits and;

WHEREAS the City of Waterloo has no control over the salary and benefits paid to a Regional Police Officer and;

WHEREAS this type of rationale for setting wages and benefits, to the exclusion of all other criteria, will, and is, having serious effects on the free collective bargaining process and;

WHEREAS any system that reduces the demands on the parties to effect their own agreement is not an acceptable system and;

WHEREAS numerous presentations have been made to the Solicitor-General regarding changes to the Police and Fire Acts and recently a proposal from the Association of Municipalities of Ontario has been endorsed and will be submitted to the Province of Ontario regarding changes to the compulsory and binding arbitration system and;

WHEREAS there are currently a multiplicity of systems governing compulsory and binding arbitration with the Province of Ontario and;

WHEREAS the Province has endorsed reviews of other labour legislation e.g. Bill 100;

THEREFORE be it resolved that;

The Premier of the Province of Ontario, The Honourable William Davis be petitioned to form a Task Force and initiate a public review and inquiry into the total compulsory and binding arbitration system in the Province of Ontario and further that this resolution be forwarded to Premier William Davis, The Honourable T. Wells, Mr. H. Epp, MPP, The Police Governing Authority, The Association of Municipalities of Ontario and all municipalities with populations of 30,000 or more for their endorsement."

(c) The Regional Municipality of Haldimand-Norfolk

"WHEREAS the Honourable Harry C. Parrott, D.D.S., Minister of the Environment has, on November 25, 1980, issued a Statement of Policy, that a portion of the Provincially owned lands in South Cayuga in the Regional Municipality of Haldimand-Norfolk will become the Province's permanent Liquid Industrial Waste Treatment Facility;

AND WHEREAS this decision has been made without the benefit of the Ontario environmental assessment process which requires a full environmental study according to the Environmental Assessment Act and an independent public hearing by the Environmental Assessment Board before the project proceeds;

AND WHEREAS very little has been done to demonstrate that the site is environmentally suitable and that the industrial waste technology and safeguards will be adequately addressed;

AND WHEREAS such a final and arbitrary decision denies the residents of the area of the natural justice they are entitled to under the Ontario environmental assessment process;

AND WHEREAS such a final and arbitrary decision has far reaching implications for the residents throughout Ontario;

NOW THEREFORE BE IT RESOLVED that the Council of the Regional Municipality of Haldimand-Norfolk petition on the Premier of Ontario to rescind the decision of the Minister of the Environment and follow the Province's own environmental assessment process which includes a full environmental study under the terms of the Environmental Assessment Board before proceeding with any such facility;

AND THAT this resolution be forwarded, with a request for their support, to all Ontario Municipalities, municipal associations and environmental and agricultural interest groups;

AND THAT this resolution be presented to the residents of the Regional Municipality of Haldimand-Norfolk and surrounding affected municipalities for their individual support."

(d) Town of Dunville

"THAT WHEREAS the Minister of the Environment for the Province of Ontario announced on the 25th day of November, 1980, that a Liquid Waste Disposal Site will be established in the former Township of South Cayuga, in the Town of Haldimand, in the Region of Haldimand-Norfolk;

AND WHEREAS such disposal site is to be built without a thorough and complete study and investigation of soil conditions, drainage patterns, subterranean ground water levels and flows and the many other factors which may adversely affect the ecology, conservation and productivity of the land and the health, welfare and safety of the inhabitants and their properties;

AND WHEREAS such decision was made unilaterally without prior consultation or discussion with the affected landowners and residents of the area and more importantly without the benefits and findings of an impartial environmental assessment hearing as provided for in the Environmental Assessment Act (1975);

BE IT THEREFORE RESOLVED THAT the Government of Ontario be requested to amend the Environmental Assessment Act (1975) to require, without exception and under any and all circumstances, an unbiased and impartial public hearing be conducted and the findings be made known before any site or facility for the disposal, treatment or storage of any liquid or solid waste or any material of a toxic or dangerous nature be established at any location in the Province.

AND FURTHER THAT a copy of this resolution be circulated to the Prime Minister of Canada, the Premier of Ontario, the Federal and Provincial Environmental Ministries, the Association of Municipalities of Ontario, Dr. Bud Bradley, M.P., Mr. Gordon Miller, M.P.P., and to all municipalities in the Province of Ontario, requesting support and endorsement;"

(e) City of Windsor

"That the Minister of Public Works responsible for Canada Mortgage and Housing Corporation BE REQUESTED to reconsider the Government's decision to terminate the Community Services Contribution Program with the expiration of the interim agreement with the Province on December 31, 1980; and further, local Members of Parliament and Members of the Legislative Assembly and the Association of Municipalities of Ontario BE REQUESTED to support the City's request that the CSCP Program be continued and a copy of Council's resolution BE SENT to all municipalities over 50,000 population for their endorsement."

(f) Town of Dundas

"THAT the Municipal Council of the Town of Dundas has grave concerns about the proposed transfer to chronic care patients from McMaster Medical Centre to Chedoke Hospital.

We believe that this transfer would bring un-necessary hardship to patients on their relative from this area.

Further, copies of this motion be forwarded to the following individuals and organizations - Hon. D. Timbrell, Hon. W. Davis, Premier of Ontario, Hon. Stuart Smith, Hon. M. Cassidy, Mrs. A. Jones, Chairman, Regional Municipality of Hamilton-Wentworth, Mr. R.C. Walker, Mr. R. Auld and the area mayors."

(g) Town of Ancaster

"That the Council of the Town of Ancaster notify those individuals and organizations listed below that we are opposed to the proposal from the Executive of the Board of Trustees of Chedoke-McMaster Hospitals to reduce the active care facilities at Chedoke Hospital as we feel that this facility at Chedoke is important and indeed a necessary medical facility for the citizens of Ancaster.

It is our feeling that with the growth that is anticipated in this area, e.g. the new airport, the Highway #6 Corridor, new housing etc., that it would be irresponsible to consider removing the active care services provided by Chedoke Hospital.

A copy of this resolution to be forwarded to:

Hon. Dennis R. Timbrell, Minister of Health

Hon. Wm. G. Davis, Premier of Ontario

Dr. Stuart Smith, Leader of the Opposition

Mr. Michael Cassidy, Leader of the Ontario New Democratic Party

Mayors of all Municipalities in the Hamilton-Wentworth Region

The Mayor of Haldimand

Mr. Ray Walker, Executive Vice President of Chedoke-McMaster

Mr. J.R. McMurrich, Chairman of the Board of Trustees of
Chedoke-McMaster

All area M.P.P.'s

All area M.P.'s"

9. That no action be taken on the following resolutions:

(a) Township of North Burgess

"WHEREAS many landowners in Ontario are not resident in the Municipality in which the land they own is situated,

AND WHEREAS Section 35 of the Municipal Act being Chapter 284 of the Revised Statutes of Ontario as amended by Section 7 of Chapter 32 of the Statutes of Ontario 1978 gives the right to run for office in Municipal Elections to anyone who is entitled to be an elector under Section 13 of the Municipal Elections 1977

AND WHEREAS Section 13 of the Municipal Act, 1977 being Chapter 62 of the Statutes of Ontario 1977 as amended by Section 4 of Chapter 30 of the Statutes of Ontario 1980, gives the right to run for office in Municipal elections to certain non-resident landowners

AND WHEREAS the Council of the Township of North Burgess perceives that the extension of the right to run for office to non-resident landowners may in certain circumstances cause undue hardship to resident electors of the Municipality.

IT IS RESOLVED that petition be made to Her Majesty's Government of Ontario that the existing legislation which gives the right to run for office in municipal elections to non-resident landowners be altered so that only resident landowners are entitled to run for office in municipal elections in order to protect the interests of those people who make their home in a particular municipality."

(b) City of Burlington

"WHEREAS the Province of Ontario has updated the equalization factors for converting taxable assessment to equalized assessment for apportionment of Regional and School Board costs, to reflect more current property values, and

WHEREAS the Province has introduced a residential discount factor to more appropriately reflect the actual taxing capacity of the Area Municipalities, and

- (i) Bill B-16 - By-law to confirm proceedings of the Council of the Corporation of the City of Hamilton at its meeting held on the 27th day of January, 1981.

OTHER

13. That the tax adjustments as set out in Schedules "A", "B", and "C" be approved.

Respectfully submitted,

ALDERMAN J. MACDONALD, CHAIRMAN

S.G. Hollowell, Secretary
January 20, 1981.

SGH/sma

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its THIRD Report for 1981 and respectfully recommends:

1. Approval of the acquisition of the property at 113 Graham Avenue North, measuring approximately 25 feet by a depth of 100 feet, from Gerald Dennis Wright and Candileon Simone Wright, for the sum of \$33,000.00. Option to be accepted on or before January 30th, 1981. Cash on closing of sale which shall be on or before June 15th, 1981.

This property is required for parks purposes in the Crown Point East Neighbourhood. Sufficient funds are available in account #0408-C06026 - Land Acquisition Crown Point East, to provide for this acquisition.

2. Approval of the acquisition of a portion of the property at 13 Birch Avenue, measuring approximately 10 feet by 20 feet, from Mr. James Syer, for the sum of \$4,200.00. Option to be accepted on or before January 30th, 1981. Cash on closing of sale which shall be on or before February 27th, 1981.

This property is required in connection with the walk/bike path system in the Gibson Neighbourhood.

Costs to acquire the subject property to be charged to the Gibson Neighbourhood Improvement Programme, account #0405-G5201, and are eligible for 75% subsidy from the Federal-Provincial partnership.

3. Approval of the sale of a vacant parcel of land, located south of the most southerly limit of Bow Valley Drive, measuring 263.92 feet, more or less, by a depth of 108.85/103.98 feet, more or less, being part of Part 4, Plan 62R-3912, to Dundurn Construction Company Limited, for the nominal purchase price of \$1.00. A condition of this transaction is that Dundurn Construction Company Limited's 5% land dedication credit, applicable towards future land dedication requirements in the Riverdale East Neighbourhood, will be adjusted accordingly.

NOTE: This transaction is to correct an inadvertent conveyance of land to the City by Dundurn Construction Company Limited in 1978, as part of the 5% parks dedication.

4. The Parks and Recreation Committee advises that in connection with the long range plans to develop the Beach Strip for park and recreational purposes, the following options have been exercised by the Hamilton Region Conservation Authority:

<u>Address</u>	<u>Price</u>
15 Grafton Avenue	\$20,900.00
371 Beach Boulevard	\$37,600.00

D

In accordance with the lease back arrangements made between the City of Hamilton and the Hamilton Region Conservation Authority, it is recommended that these properties be added to the schedule of properties to be leased by the City of Hamilton.

That a copy of this resolution be forwarded to the Clerk of the Regional Municipality of Hamilton-Wentworth and the Hamilton Region Conservation Authority.

5. Approval of the awarding of the following contracts and purchases:

(a) HARDTS LANDSCAPING, Hamilton, Ontario

Re: Cemetery Department

Cutting and trimming of grass at various cemeteries, in accordance with specifications issued by the Director of Purchases and Vendor's Tender as follows:

Total Contract for 1981	\$38,208.00
Total Contract for 1982	<u>40,160.00</u>
	\$78,368.00

NOTE: Lower of two tenders. Irrevocable letter of credit being accepted for each of the two years in lieu of the Performance Bond for the two year period.

(b) UNITED STEP & METAL LTD., Hamilton, Ontario

Re: Cemetery Department

Supply and installation of grave crypts or liners for 1981 and 1982, in accordance with specifications issued by the Director of Purchases and Vendor's Tender, as follows:

Approximately 900 crypts or liners, having two part lids.

Regular	- \$115.26 Each
Youth	- \$110.62 Each
Oversize	- \$150.00 Each
Intermediate	- \$125.42 Each

NOTE: Lower of three tenders.

(c) CITY OF BURLINGTON, Burlington, Ontario

Re: Parks Division

1980 LaSalle Park Maintenance and Development. . \$30,400.00

6. City Council, in 1977, approved the "Operational Regulations" for use of the Ivor Wynne Stadium Complex.

At present, these are the only regulations governing activities other than football and soccer, held at Ivor Wynne Stadium. A number of conditions contained therein are not applicable to events more minor in nature, and particularly those sponsored by community and charitable organizations.

The committee therefore recommends:

- (a) that the "Special Event Permit", (attached as Appendix "A") be approved and used as an alternative to the previously approved "Operational Regulations", for events at Ivor Wynne Stadium, which are sponsored by community and charitable organizations, or are of a minor nature;
- (b) that this Special Events Permit require only the signatures of Director of Recreation and the applicant;

NOTE: For the information of the members of City Council, the Parks and Recreation Committee will, when considering applications for use of Ivor Wynne Stadium, recommend to City Council which of the two forms of regulations should be utilized; i.e. Operational Regulations approved in 1977 or the Special Event Permit.

7. With the adoption of subsection 3 of section 16 of the Thirty-ninth Report of the Board of Control, City Council on September 9th, 1980, awarded a contract to Mountain Sports, Hamilton, Ontario, for the operation of the skate sharpening concession at the Mountain Arena, for the annual payment of \$1,300.00. This contract was awarded on the basis that the fee for skate sharpening would be \$0.75 for regular skates and \$1.00 for figure skates.

As a result of a request by the tenderer to increase these rates, and a review undertaken by the Director of Recreation and the Director of Purchases, the committee respectfully recommends:

- (a) that the rate for skate sharpening at the Mountain Arena be increased from \$0.75 to \$1.00 for regular skates and from \$1.00 to \$1.25 for figure skates;
- (b) that the annual payment to the City by Mountain Sports, for the skate sharpening concession at the Mountain Arena be increased from \$1,300.00 to \$1,600.00;
- (c) that the City Solicitor be authorized and directed to prepare and have executed the necessary documentation to effect same.

8. That pursuant to section 20 of the Park By-law No. 77-221, permission be granted to the Winter Activities Committee of Eastmount Community Council to

Parks and Recreation Committee

- Report

4

have a horse-drawn sleigh in Eastmount Park as part of their Winter Carnival activities on Saturday, February 7th, 1981.

9. That the Winterfest Programme of the Special Events Committee scheduled to take place at the King's Forest Winter Sports Park, February 1st to 8th, 1981 be proceeded with at a cost of \$15,000.00, which has been provided for in the 1981 estimates of the Special Events Committee, as approved by the Parks and Recreation Committee.

For the information of the members of City Council, concurrence of the Finance Committee for this expenditure prior to the adoption of the 1981 estimates has been secured.

10. Approval of the action of the Parks and Recreation Committee in authorizing Mr. Marten Lewis, Managing Director, Hamilton Historical Board and Ms. M. Soules, Dundurn Castle, to attend the Heritage Conference on Early Transportation in Ontario. This conference is being sponsored by the Ontario Museum Association and is being held in Toronto, January 25th to 29th, 1981.

For the information of the members of City Council, concurrence of the Finance Committee for this expenditure prior to the adoption of the 1981 estimates, has been secured.

Respectfully submitted,

Alderman K. M. Edge, Chairman
Parks and Recreation Committee

J. J. Schatz, Secretary
January 15th, 1981
attchm.

SPECIAL EVENT PERMIT

Appendix "A"
Third Report of the
Parks and Recreation
Committee. (Pp 1 of 4)

I V O R W Y N N E S T A D I U M
C O M P L E X

Hamilton, Ontario

The Corporation of the City of Hamilton

Permission is hereby granted to _____,
_____, to use the Ivor Wynne Stadium
on _____ 19 _____, for the purpose of holding

_____ under the following terms and conditions as outlined by the Director of Recreation.

SECTION A - RENTAL PROCEDURE

1. The Applicant must furnish in writing, no less than () days before the event, any information requested by the Director of Recreation to determine facilities, arrangements and any special services and equipment necessary for the staging and proper management of any event to be held. In the event of an exhibition presentation, suitable drawings shall be furnished to the Director of Recreation as to the exact location of all booths and equipment, indicating (without limiting the generality of the foregoing) utility connections requirements, and all such proposals must have prior written approval of the Director of Recreation.
2. All rental fees and other monies owing to the City herein, shall be paid in lawful money of Canada, by certified cheque or cash, to authorized representatives of the City.
3. The Rental rate in this case shall be \$ _____ payable to the City () days prior to the event.
4. The admission price will be \$ _____ \$ _____
5. In the event that for any reason the City is unable or unwilling to permit the event to take place, the City shall have the right in its sole and unfettered discretion, to cancel such event at any time and order the stadium to be closed to all spectators and events and in such case the City shall not be liable to do more than refund to the Applicant any flat rate or deposit the Applicant has paid to the City.
6. The Applicant shall forward to the Director of Recreation () days prior to the event, the required insurance policy in the amount of \$ _____ naming the Corporation of the City of Hamilton as the co-insured.
7. Requests for tentative dates will be honoured for one (1) week, after which time they will be deemed abandoned unless the Applicant gives written notification of his firm intention in a manner acceptable to the City.

8. Information concerning booked dates, promoting organizations, and "reserved dates" is available only to authorized persons unless otherwise agreed upon by the City.
9. The Applicant shall indemnify and save harmless The City against all actions, causes of action, interest, claims, demands, costs, damage, and loss of revenue, which The City might bear, suffer or be put to, by reason of any damage or injury to any member of the public, or the Applicant, his agents, servants, or associates arising out of the Applicant's production.

SECTION "B" - STADIUM USAGE

1. The Applicant shall have access to the stadium during the following hours:
- | | | |
|-------------|-------------|-------------|
| Set-Up | Date: _____ | Time: _____ |
| Event | Date: _____ | Time: _____ |
| Dismantling | Date: _____ | Time: _____ |
- Entry shall be gained through gates _____
2. Facility Amentities Requested:
- | | |
|-----------------------|-----------------|
| Ticket Office | _____ |
| Dressing Rooms | _____ |
| Green Room | _____ |
| Referees Room | _____ |
| Stands | _____ |
| Field Surface | _____ |
| Lights | _____ (½) banks |
| | _____ (¼) banks |
| | _____ (Full) |
| Press Box | _____ |
| Scoreboard | _____ |
| Concession Facilities | _____ |
- (Tiger Snak Foods - Postal
Station "C", Box Office 3011
Hamilton, Ontario (547-2747)
3. The applicant using the Stadium is responsible for any and all damage to the buildings, furnishings, fixtures or equipment, arising from such use, whether caused by the Applicant, or his agents, or his patrons, ordinary wear and tear excepted. No material or equipment shall be attached to any part of the buildings so as to damage the buildings. Written approval of the Director of Recreation must be obtained prior to the use of any flammable materials. Applicant shall be required to make suitable arrangements with the Director of Recreation for the protection of all City owned premises involved.
4. MACHINERY, FLAMMABLE LIQUIDS AND ELECTRICITY No one shall erect any engine, motor or other machinery or other hazardous device, on the premises or use any gas, electricity, flammable liquid or charcoal therein, without prior written approval of the Director of Recreation. All electrical connections of any kind must be made by the "house electrician" and all house equipment must be operated by house personnel or personnel approved by the Director of Recreation,

5. SIGNS, POSTERS AND LITERATURE The Applicant shall not post or permit to be posted any signs upon the premises or permit anything that will tend to injure, mar, or in any manner deface the premises, and shall not permit nails, hooks, adhesive fasteners, tacks, screws, and the like to be installed on any part of the buildings or premises. Signs may only be posted on billboards provided for such use, and all signs, advertisements, show cards and posters must relate to the event or exhibition to be given on the premises. The hanging of pictures, banners or any other items on walls or draperies requires prior written approval of the Director of Recreation. The Applicant shall not distribute or circulate or permit to be circulated, any advertising matter or programs at the entrance to or on any part of the premises that does not pertain to the immediate attraction, and such material must have prior approval of the Director of Recreation, and at no time shall any such advertising matter or programs be distributed or circulated on or in the Stadium or sidewalks adjacent to the Stadium without written approval of the Director of Recreation.
6. OPERATION OF LEASED PREMISES The Applicant shall take the premises in the condition he finds them, and in the event the Applicant finds it necessary to remove or change the location of any stage, rigging or equipment, seating devices or fixed equipment, such changes shall be made at his sole expense, and the Applicant shall agree to change all such equipment, stages and rigging back to the condition in which same was found, at his sole expense, forthwith after the event. The Applicant shall not make any such changes or alterations without prior written approval of the Director of Recreation.

SECTION C - ADVERTISING AND PROMOTION OF EVENTS

1. EVENT ANNOUNCEMENT - The public announcement, advertising or promotion of any future event, performance or activity at or on the premises of the Stadium is prohibited without prior written approval from the Director of Recreation. Public announcement of any such event must have the prior written approval of the Director of Recreation.

SECTION D - GENERAL RULES AND REGULATIONS

1. The Applicant shall observe and comply with all laws, statutes, by-laws, regulations, notices and directives, and shall insure that same are observed and complied with by all persons in, or associated with the Applicant's event, while on the premises of the Stadium, without requiring any prior notice of such laws, statutes, by-laws, regulations, notices and directives from the City, nor from any governing body of duly authorized servant or agent thereof.
2. SECURITY AND SAFETY PERSONNEL - The Applicant shall at its sole expense provide such security and safety personnel as required and approved by the Director of Recreation on the advice of the Chief of the Regional Police, whose decision as to the number of policemen required shall be final. The Applicant shall provide to the City, not less than () days before the production, evidence that it has made arrangements satisfactory to the Chief of Police, for payment of the wages of the required number of policemen.

2. In the event that the Chief of Police shall decide, on or near the date of the event, that circumstances require a greater number of policemen, for security reasons, than was previously determined by him, the Applicant agrees that it shall pay the additional cost of providing such police personnel within one week after being advised in writing of such additional cost.
3. FACILITY DESIGNATION - Use of the name Ivor Wynne Stadium or its official logo, or identifying letterhead, shall be prohibited except as approved in advance in writing by the Director of Recreation.
4. PRESS - RADIO - TELEVISION - FACILITIES are only for the use of authorized and bona fide members of media and are not considered a part of the rented premises unless so indicated and authorized in writing by the Director of Recreation. Detailed usage procedure, and operational regulations can be acquired by contacting the Director of Recreation.
5. NOTICE - Any notice to be given to the Applicant by the City may be sufficiently given if delivered or mailed to the Applicant by ordinary, prepaid mail at _____
_____,
and any notice to be given by the Applicant to the City may be sufficiently given if delivered or mailed to the Director of Recreation, c/o The Recreation Department, 71 Main Street West, Hamilton L8N 3T4. Any notice so given by mail by either party shall be deemed to have been received on the third business day after the posting thereof. Notwithstanding the foregoing, notice to be given to either party within 48 hours of the holding of the event may be sufficiently given if communicated directly, in the case of the City, to the Director of Recreation, and in the case of the Applicant to _____
_____.
6. INTERPRETATION - The captions and headings in these regulations are inserted for convenience of reference only and do not define, limit or enlarge the scope, meaning or intent of any provision. All the provisions of these regulations shall be deemed and construed to be conditions as well as covenants or conditions were used in each separate provision hereof. These regulations shall form an integral part of any arrangements made between the Applicant and the City.
7. The Applicant hereby acknowledges receipt of a copy of these regulations on the date indicated below.

IN WITNESS WHEREOF the proper officers duly authorized in that behalf
hereto have hereunto set their hands.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its FIFTH Report for 1981 and recommends:

1.a) That approval be given to Official Plan Amendment No. 355 to establish a policy to permit a specific industrial use, as proposed, on properties at Nos. 80 and 86 Park Street North, and that the City Solicitor be directed to prepare a by-law to adopt this Official Plan Amendment for submission to the Ministry of Housing.

1.b) That approval be given to Zoning Application 80-91, G. S. Dunn and Company Limited, owner and prospective owner, to establish a change in zoning of properties known as Nos. 80 and 86 Park Street North, as shown on the plan at Appendix "A" attached, on the following basis:

- i) That the subject lands be rezoned from "L-c" (Planned Development-Commercial) District to "H" (Community Shopping and Commercial, etc.) District with the following variances from By-law No. 6593:
 - a) That notwithstanding Section 14(1), a mustard mill, mustard seed storage and warehouse use shall be permitted.
 - b) That notwithstanding Section 18(4)(iii), no accessory building shall exceed 4 storeys or 17.0 metres in height.
 - c) That notwithstanding Section 14(3)(iii), a minimum rear yard of 1 metre shall be required.
- ii) That By-law 79-275 establishing Site Plan Control Areas be amended by adding the subject lands to Schedule "B".
- iii) That the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-731 and that the subject land on Zoning District Map W-4 be notated S-731.
- iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map W-4 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- v) That the Central Neighbourhood Plan be modified to show a re-designation of the subject lands from "Commercial" and "Apartments" to "Commercial-Industrial" with a notation that the existing industrial use will be permitted in addition to commercial uses.

- vi) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area, with the approval of Amendment No. 355.

Explanatory Note

The by-law will provide for a change in zoning from "L-c" (Planned Development-Commercial) District to "H" (Community Shopping and Commercial, etc.) District of properties at Nos. 80 and 86 Park Street North, the location of which is shown on Zoning District Map W-4. The purpose of the change is to permit an existing mustard seed milling plant, and the storage and conditioning of mustard seed.

2. That approval be given to Zoning Application 80-80, R. Lawrence, owner, to establish a change in zoning of the land at the rear of property at No. 685 Main Street East, as shown on the plan at Appendix "B" attached, on the following basis:

- i) That the subject land be rezoned from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District with the following variance:

That notwithstanding Section 14(3) of By-law No. 6593, a minimum side yard of 0.25 metre shall be permitted for that portion of the lot adjacent to lands zoned "C" (Urban Protected Residential, etc.), District.

- ii) That the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-732 and that the subject land on Zoning District Map E-22 be notated S-732.
- iii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map E-22 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- iv) That the Gibson Neighbourhood Plan be amended accordingly.
- v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note

The by-law will provide for a change in zoning from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District of land at the rear of property at No. 685 Main Street East having an area of 92.72 square metres (998.0 square feet), the location of which is shown on Zoning District Map E-22. The major part of the property is already zoned "H", and the purpose of extending this zoning to include the remaining part of the property is to permit the expansion of the existing commercial building.

3. That approval be given to Zoning Application 80-73, L. B. Lockwood, R. M. Wahlman and Tigertown Leasing Limited, owners, to establish a change in zoning from "C" (Urban Protected Residential, etc.) District to "G-3" (Public Parking Lots) District of property at No. 258 Britannia Avenue, as shown on the plan at Appendix "C" attached, and that the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map E-64, and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk. The proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note

The by-law will provide for a change in zoning from "C" (Urban Protected Residential, etc.) District to "G-3" (Public Parking Lots) District of property at No. 258 Britannia Avenue, the location of which is shown on Zoning District Map E-64. The purpose of the change is to permit the land to be used for the parking of cars in conjunction with an automobile leasing business located on adjoining lands.

4. That approval be given to Zoning Application 80-81, Amoeba Investments Limited, owner, to establish a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "HH" (Restricted Community Shopping and Commercial) District of the westerly part of property located at Nos. 750 to 754 Queenston Road, as shown on the plan at Appendix "D" attached, and that the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map E-105, and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk. The proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note

The by-law will provide for a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "HH" (Restricted Community Shopping and Commercial) District of the westerly part of property located at Nos. 750 to 754 Queenston Road, the location of which is shown on Zoning District Map E-105. The purpose of the change is to establish uniform zoning for the entire site of an existing commercial centre, part of which is already zoned "HH".

5. That approval be given to Zoning Application 80-90, Re-Vest Holdings Limited, owner, to establish a change in zoning of property at No. 121 King William Street and 53 Mary Street, as shown on the plan at Appendix "E" attached, on the following basis:

- i) That the subject property be rezoned from "I" (Central Business, etc.) District to "CR-3" (Commercial-Residential) District.
- ii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map E-4 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.

- iii) That the Beasley Neighbourhood Plan be amended accordingly.
- iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note

The by-law will provide for a change in zoning from "I" (Central Business, etc.) District to "CR-3" (Commercial-Residential) District of property at No. 121 King William Street and No. 53 Mary Street, the location of which is shown on Zoning District Map E-4. The purpose of the change is to establish the appropriate zoning for future commercial-apartment development.

6. That approval be given to Zoning Application 80-67, Seventeen Robinson Street Limited, owner, to establish a change in zoning and modifications to the Zoning Regulations with respect to lands located at the south-west corner of Robinson Street and James Street South, as shown on the plan at Appendix "F" attached, on the following basis:

- i) That part of the subject lands described as Block 1 be rezoned from "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District to "CR-3" (Commercial-Residential) District with the following variances:
 - a) That notwithstanding Section 15B(17) of By-law 6593, a maximum residential Gross Floor Area of 4,786.54 square metres shall be permitted.
 - b) That notwithstanding Sections 15B(9) and (10) of By-law 6593, a minimum rear yard of 2.4 metres, a minimum southerly side yard of 6.5 metres and no northerly side yard for the residential portion of the structure, shall be required.
- ii) That the "CR-3" District zoning provisions applicable to the lands described as Block 2 be modified on the following basis:
 - a) That notwithstanding Section 15B of By-law 6593, the existing commercial-residential building, the encroachments of the existing apartment building situated on Block 3 and the encroachments of the proposed development to be situated on Block 1, shall be permitted.
- iii) That the "E-3" District zoning provisions applicable to the lands described as Block 3 be modified on the following basis:
 - a) That notwithstanding Section 11C of By-law 6593, the existing apartment building and the encroachment of the existing and proposed developments on Blocks 1 and 2, shall be permitted.

- b) That notwithstanding Section 4(5) and Section 11C of By-law 6593, part of the commercial portion of the proposed development on Block 1 and the access driveway may be located on Block 3.
- iv) That the following sections of By-law No. 73-286 with respect to part of the subject lands described as Blocks 2 and 3, be repealed:
 - a) Section 2(a);
 - b) Section 3(a);
 - c) The phrase "as shown on Schedule "B"." of Section 3(b)(i).
- v) That the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-294a and that the subject land on Zoning District Map W-5 be notated S-294a.
- vi) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map W-5 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- vii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note

The by-law will provide for a change in zoning from "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District to "CR-3" (Commercial-Residential) District of property at No. 206 James Street South and described as Block 1, on Zoning District Map W-5. It is proposed that the land be developed with a commercial-apartment building with provision for encroachment onto the adjoining lands described as Blocks 2 and 3.

7. That approval be given to City Initiative 80-R, to establish a change in zoning of land on the north side of Morley Street in the area west of Woodward Avenue, as shown on the plan at Appendix "G" attached, on the following basis:

- i) That the subject land be rezoned from "C" (Urban Protected Residential, etc.) District to "J" (Light and Limited Heavy Industrial) District.
- ii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map E-82 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- iii) That the Parkview West Neighbourhood Plan be amended accordingly.

E

- iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note

The by-law will provide for a change in zoning from "C" (Urban Protected Residential, etc.) District to "J" (Light and Limited Heavy Industrial) District of land on the north side of Morley Street in the area west of Woodward Avenue, the location of which is shown on Zoning District Map E-82. The purpose of the change is to permit expansion of an existing industrial use.

8. That approval be given to City Initiative 81-A, to amend the Zoning By-law No. 6593 with respect to uses allowed in the "CR-1", "CR-2" and "CR-3" Districts, as follows:

- i) That Section 15B(3) be amended by adding the following subclauses:
- 15B(3)(b) 25. A commercial club;
- 15B(3)(d) 3. A private club.
- ii) That the City Solicitor be directed to prepare a by-law accordingly.
- iii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note

The purpose of the by-law is to provide for an amendment to Zoning By-law No. 6593, so as to allow commercial clubs and private clubs as permitted uses in the "CR-1", "CR-2" and "CR-3" Districts.

9. That Section 2(5) of By-law No. 79-226 respecting land located on the south side of Rymal Road West in the vicinity of Garth Street be repealed, subject to the following conditions:

- a) That sufficient land be dedicated as public highway to widen Rymal Road West to 18.288 metres from the existing centre line.
- b) That the St. Elizabeth Home Society register an undertaking to give the following warning to the Lessees of the single storey maisonette units at the north-east corner of the development:

"Lessees are advised that despite the inclusion of noise control measures within the single storey maisonette units at the north-east corner of the development, noise levels may become of concern, occasionally interfering with some activities of the occupants".

- c) That the owner convey land having an area of 13,626.4 square metres, to the City of Hamilton, as the 5% parkland dedication in connection with this development.
- d) That sufficient land be conveyed to the City of Hamilton to establish the extension of Garth Street, south of Rymal Road, to a width of 36 metres.
- i) That the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-664a and that the subject land on Zoning District Map W-17E be notated S-664a.
- ii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map W-17E and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- iii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note

The by-law will provide for an amendment to By-law No. 79-226 respecting land located on the south side of Rymal Road West in the vicinity of Garth Street, so as to delete the requirement for a registered plan of subdivision.

10. That Items 9a and 9b of the 30th Report of the Planning and Development Committee for 1979 with respect to the requirements to establish a draft plan of subdivision SA79-13, "St. Elizabeth Retirement Village" located on the south side of Rymal Road West, west of West Fifth Street and north of the Ontario Hydro Transmission line, be rescinded.

NOTE: It is recommended that the requirement to develop "St. Elizabeth Retirement Village" in accordance with a registered plan of subdivision and the conditions of approval recommended by the City of Hamilton to the Region in Items 9a and 9b of the 30th Report of the Planning and Development Committee for 1979 be withdrawn, since the project will be effectively regulated without the necessity of a registered plan of subdivision.

11. That approval be given to Application SA80-05, J. Collob Construction Limited, owner, to establish a draft condominium plan for lands located north of Mohawk Road West, between Horning Mountain Road and Magnolia Drive, subject to the following conditions and requirements:

- 1) That this approval applies to the plan prepared by A. T. McLaren, drawing No. 15735, dated October 7, 1980 showing 8 units.
- 2) That prior to final approval of the plan, the plan of condominium conform with the approved site plan for the development.

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NOTE: The Draft Condominium Plan is for an 8-unit condominium townhouse project.

12. That approval be given to Application SA78-06, The Corporation of the City of Hamilton, owner, to establish a revised draft plan of subdivision "Hamilton Mountain Industrial Park No. 3" located in the area south of Highway No. 53 and west of Nebo Road, as shown on the plan at Appendix "H" attached, subject to the following conditions and requirements:

- "1) That this approval applies to "Hamilton Mountain Industrial Park No. 3" draft plan, drawing number P-1081, by D. A. Harrington dated September 1979, as revised in red to show a total of 12 lots.
- 2) That sufficient land be dedicated as public highway to widen Rymal Road to a distance of 18.3 metres (60 feet) from the centre line of the original 20 metres (66 feet) wide road allowance.
- 3) That 12 metres (40 feet) x 12 metres (40 feet) daylighting triangles be established at the intersection of Upper Ottawa Street and Rymal Road, Upper Ottawa Street and Kilbride Road and Kilbride Road and Nebo Road. The said daylighting triangles shall be dedicated as public highway.
- 4) That the proposed subdivision conform with the restricted area by-law for the City of Hamilton approved by the Ontario Municipal Board under Section 35 of The Planning Act.
- 5) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority."

NOTE: It is proposed that the revised draft plan of subdivision of land located in the area south of Highway No. 53 and west of Nebo Road, be approved to establish 12 lots for industrial use.

13. That pursuant to Section 29a of The Planning Act, a by-law be enacted requesting the Minister of Housing to validate the deeds held by Imperial-Belgal Limited and Westphalen Holdings Limited for lands on the east side of Hess Street South between Bold Street and Hunter Street West and that the City Solicitor be directed to prepare a by-law accordingly.

NOTE: The subject property was conveyed in two transactions in 1972 and 1974 without consent as required in Section 29 of The Planning Act. The lands were subsequently developed with two apartment buildings to the satisfaction of the City of Hamilton. It is, therefore recommended that the conveyances be validated in accordance with the provisions of Section 29a of The Planning Act.

14. That approval be given to the following street name change and that the City Solicitor be directed to prepare a by-law in accordance with paragraph 97 of subsection 1 of section 354 of The Municipal Act:

From Ranwood Drive to Ravenbury Drive - the whole of Ranwood Drive from Ravenbury Drive to end.

NOTE: This street name change is proposed to eliminate the problem of one street having two street names as a result of an amended street pattern in the Randall Neighbourhood.

15. That the Corporation of the City of Hamilton accept the following:

- i) Blocks 19, 20 and 21, being 0.305 metre reserves - Quincy Court Final Plan of Subdivision.
- ii) A cash payment in lieu of 5% parkland dedication of \$20,600.00 in connection with Quincy Court Final Plan of Subdivision.

Grantor: John F. Petis.

16. That the sale by the City to John F. Petis of part of Lot 5, Concession 7, formerly in the Township of Barton, now in the City of Hamilton, shown as Parts 2, 4 and 5 on Reference Plan 62R-4703, containing approximately 632.37 square metres (6,807. square feet), for the sum of \$1.00, be approved subject to the following conditions:

- i) That the offer be accepted on or before January 30, 1981 and that the closing of this sale shall be on or before March 2, 1981.
- ii) That the Purchaser place the lands in the proposed plan of subdivision to be known as "Quincy Court". The lands to be used for roadway purposes will form part of Quincy Court. The proposed plan of subdivision is to be registered by January 15th, 1982. If in default, the said Parts 2, 4 and 5 will be reconveyed to the City of Hamilton immediately following January 15th, 1982, free of encumbrance and with taxes paid to the date of delivery of the reconveyance for the original purchase price without interest.
- iii) That the Subdivider, John F. Petis establish a 0.3048 metres (1 foot) reserve along the southern boundary of the lands and convey the reserve to the City, so that the City may recover the cost of services.
- iv) That in the event the City is unable to obtain vacant possession of the land on date of closing, it is agreed the closing date may be extended to a date on or before June 15th, 1981.
- v) That the Purchaser agrees to execute the deed to him to give effect to conditions (ii) and (iii).

NOTE: The lands are being conveyed for incorporation into the road allowance for Quincy Court.

17. That approval be given to delete the construction restrictions on title of Lots 40, 41 and 42 in the Hamilton Mountain Industrial Park No. 1, Registered Plan M-227 and to discharge the agreement amending these restrictions registered on October 19, 1979 as Instrument No. 89668 L.T. and that the City Solicitor proceed accordingly.

NOTE: Beatty-Hall Construction Limited, owner, of the subject property known as No. 255 Nebo Road has fulfilled its obligation to construct an industrial building on the said land, having the required building size, and completing the building within the required time limit.

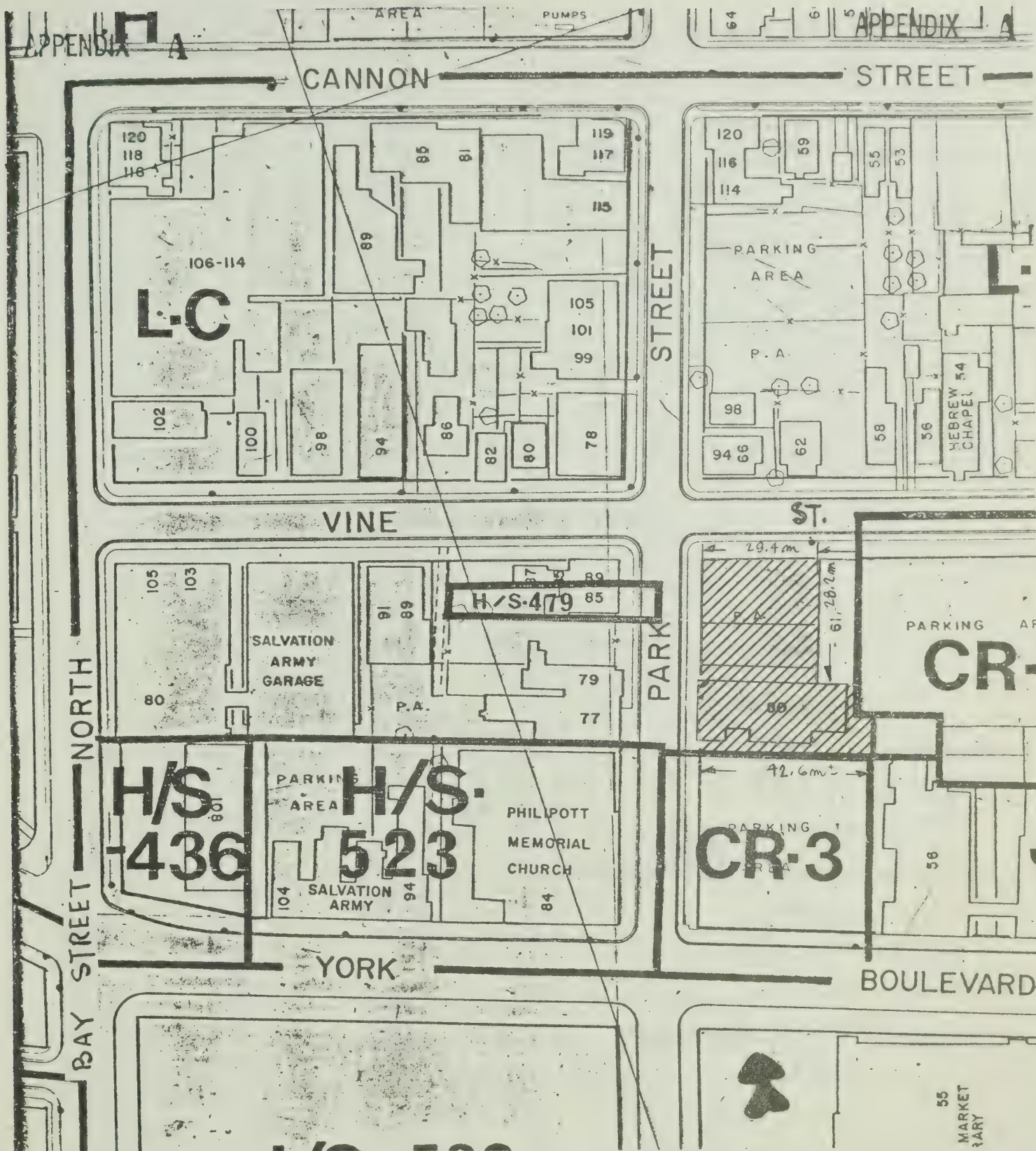
18. That leave be granted to introduce the following Bills:-

- (a) Bill Number D18 - By-law to Amend: Zoning By-law No. 6593
Respecting: Land located at Municipal No. 80 Jones Street.
- (b) Bill Number D19 - By-law to Amend: Zoning By-law No. 6593
Respecting: Land located at Municipal No. 157 Limeridge Road East.
- (c) Bill Number D20 - By-law to Amend: Zoning By-law No. 75-61
as Amended by By-law No. 75-175
Respecting: Land located at Municipal Nos. 320 and 324 King Street East.
- (d) Bill Number D21 - By-law to Request the Minister of Housing to grant relief to Westphalen Holdings Limited under The Planning Act Respecting: Land located at Municipal No. 175 Hunter Street West (Subject to the approval of Item 13 of this Report).
- (e) Bill Number D22 - By-law to Amend: Zoning By-law No. 80-299
Respecting: Land located in the block bounded by Jackson, Caroline, Hunter and Hess Streets.
- (f) Bill Number D23 - By-law to Amend: Zoning By-law No. 80-061
Respecting: Land located at Municipal No. 241 Mary Street.

Respectfully submitted,

Alderman W. M. McCulloch, Chairman
Planning and Development Committee

JWW:jm
January 23, 1981

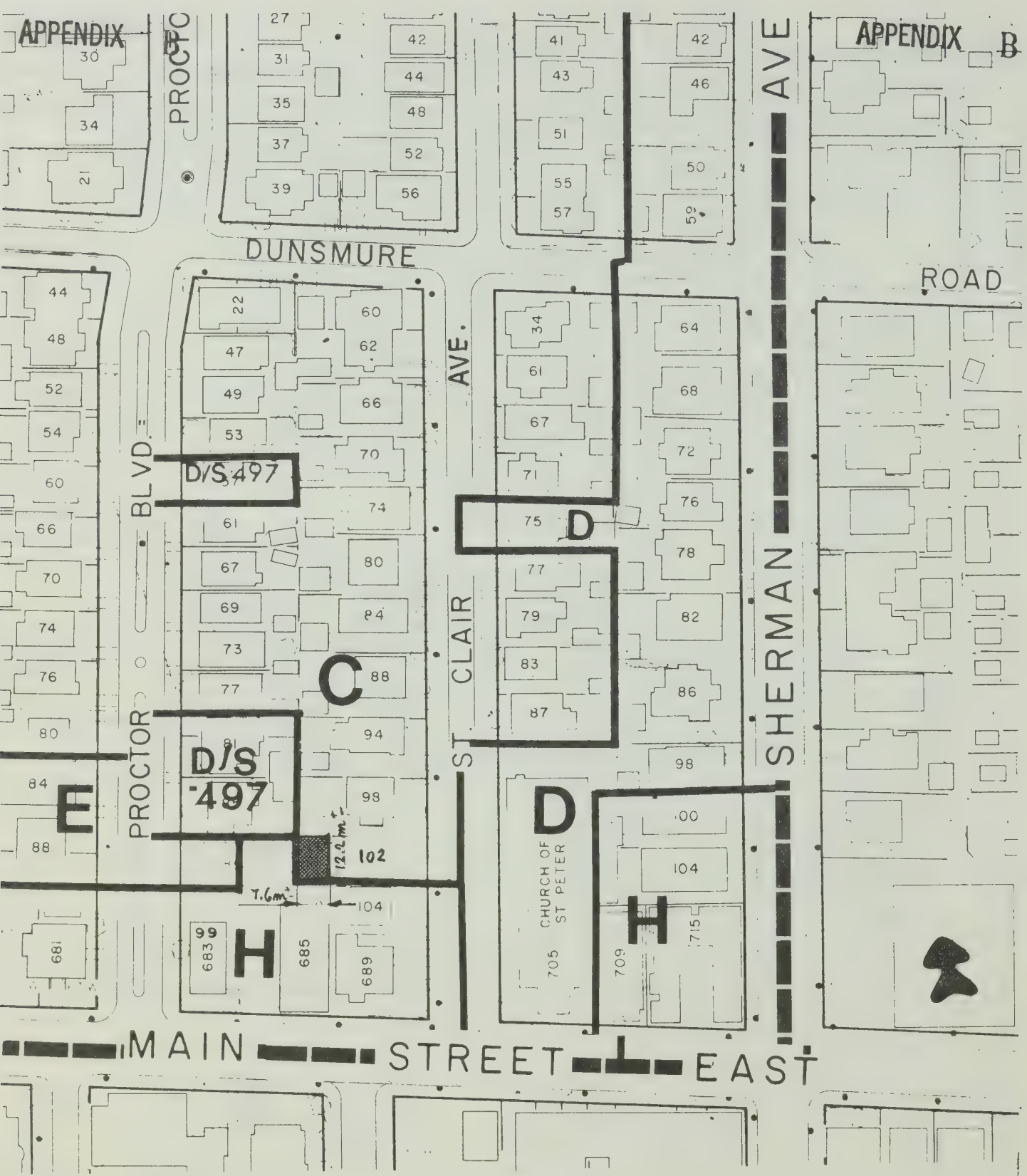


E

APPENDIX

APPENDIX

B



LEGEND

2A 80-80



Change in zoning from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District.

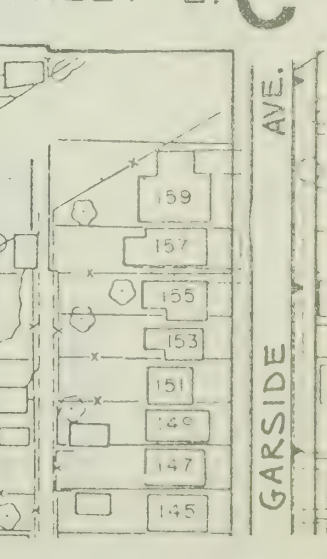
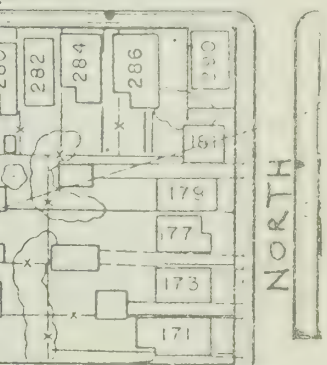
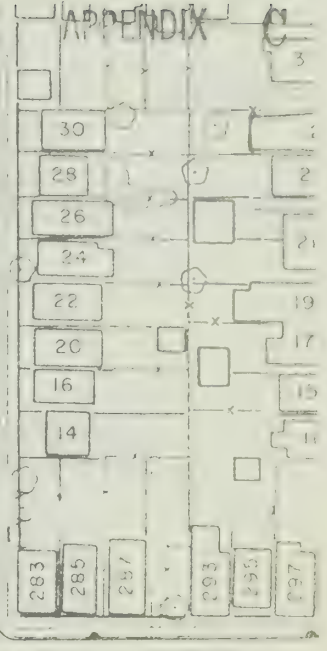
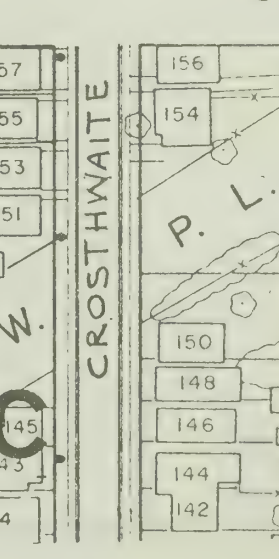
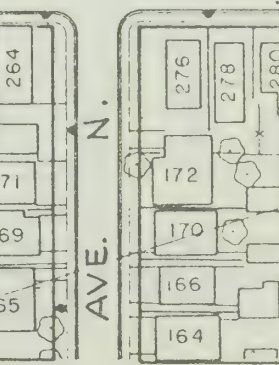
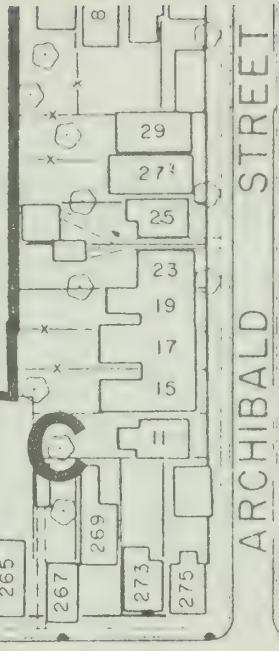
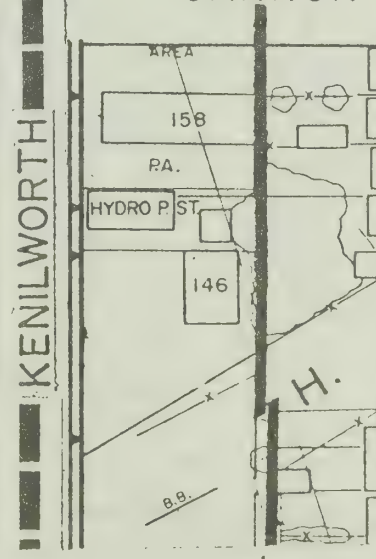
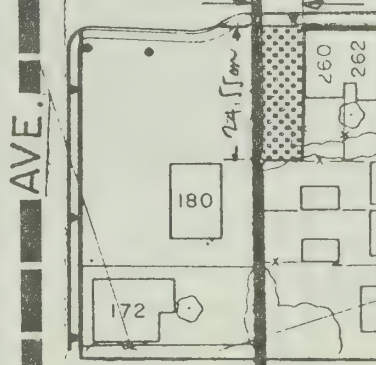
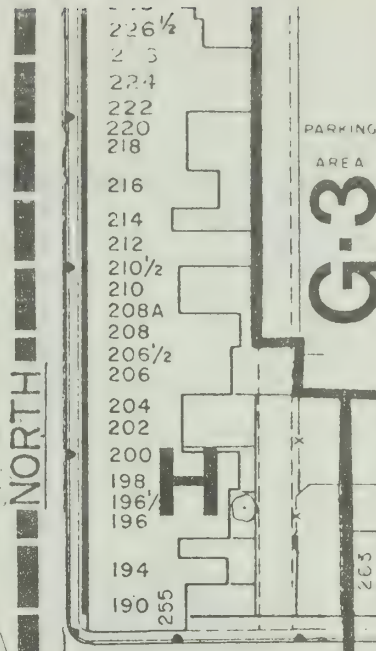
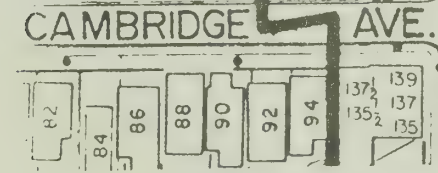
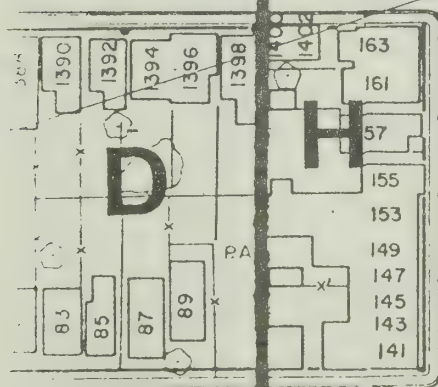
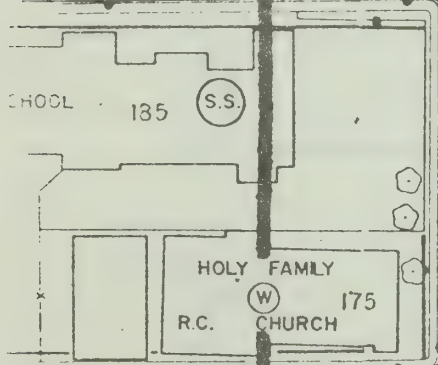
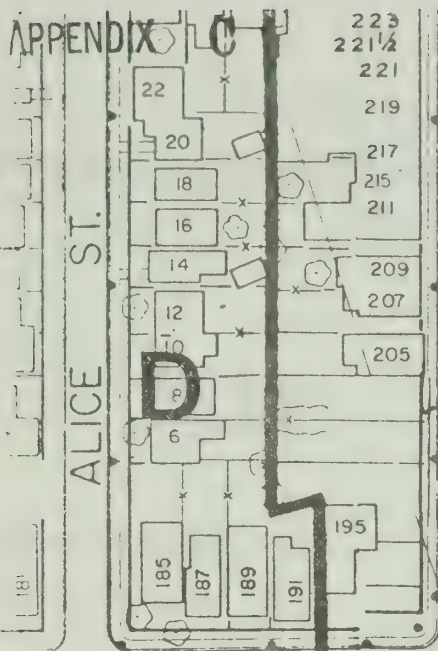
D.12

APPENDIX

B

APPENDIX

B



LEGEND

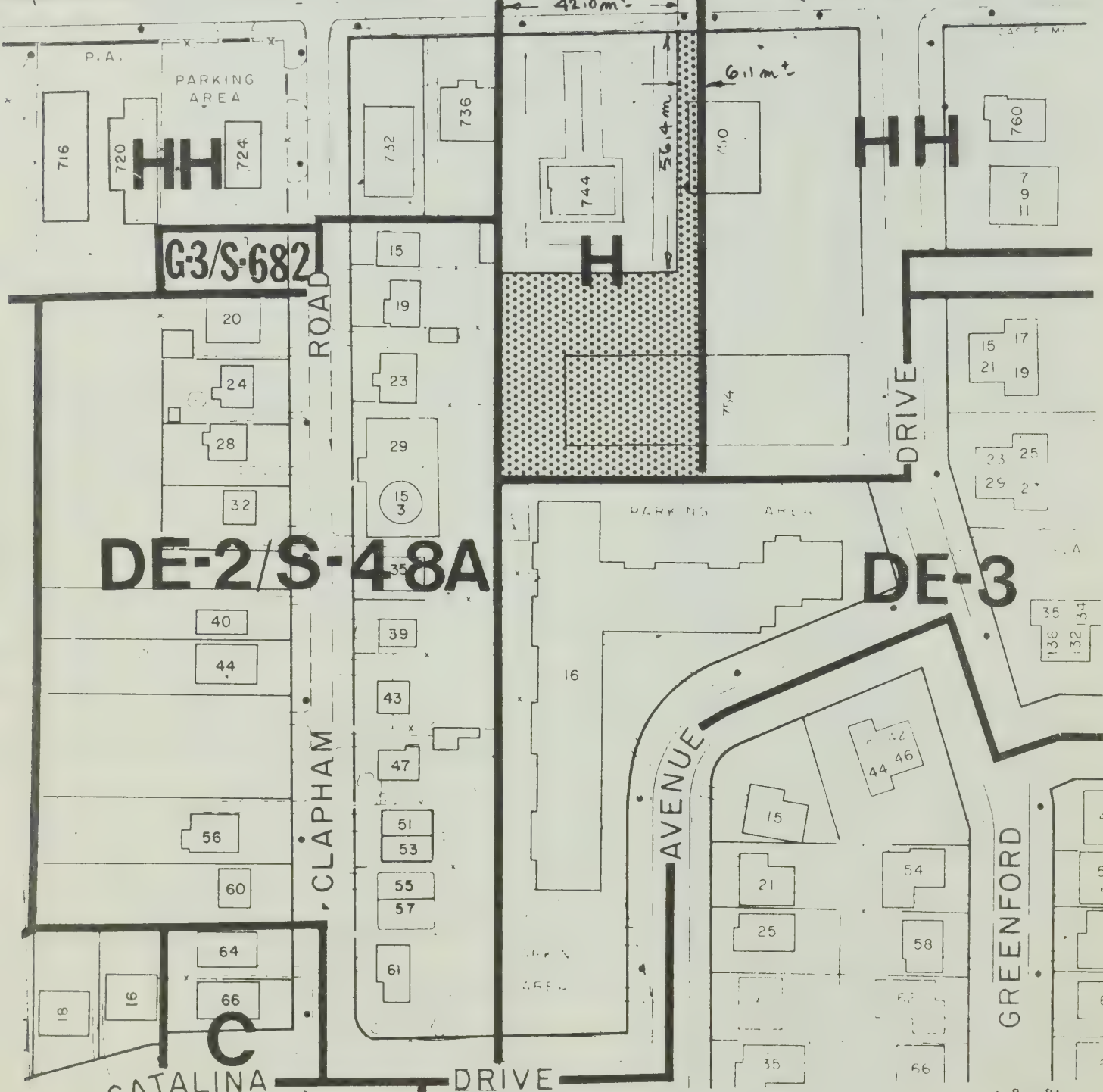
Lands for which a change in zoning from "C" (Urban Protected Residential, etc.) District to G-3 (Parking Lots) District is proposed.

D.13
APPENDIX C

APPENDIX C
2480-13

E

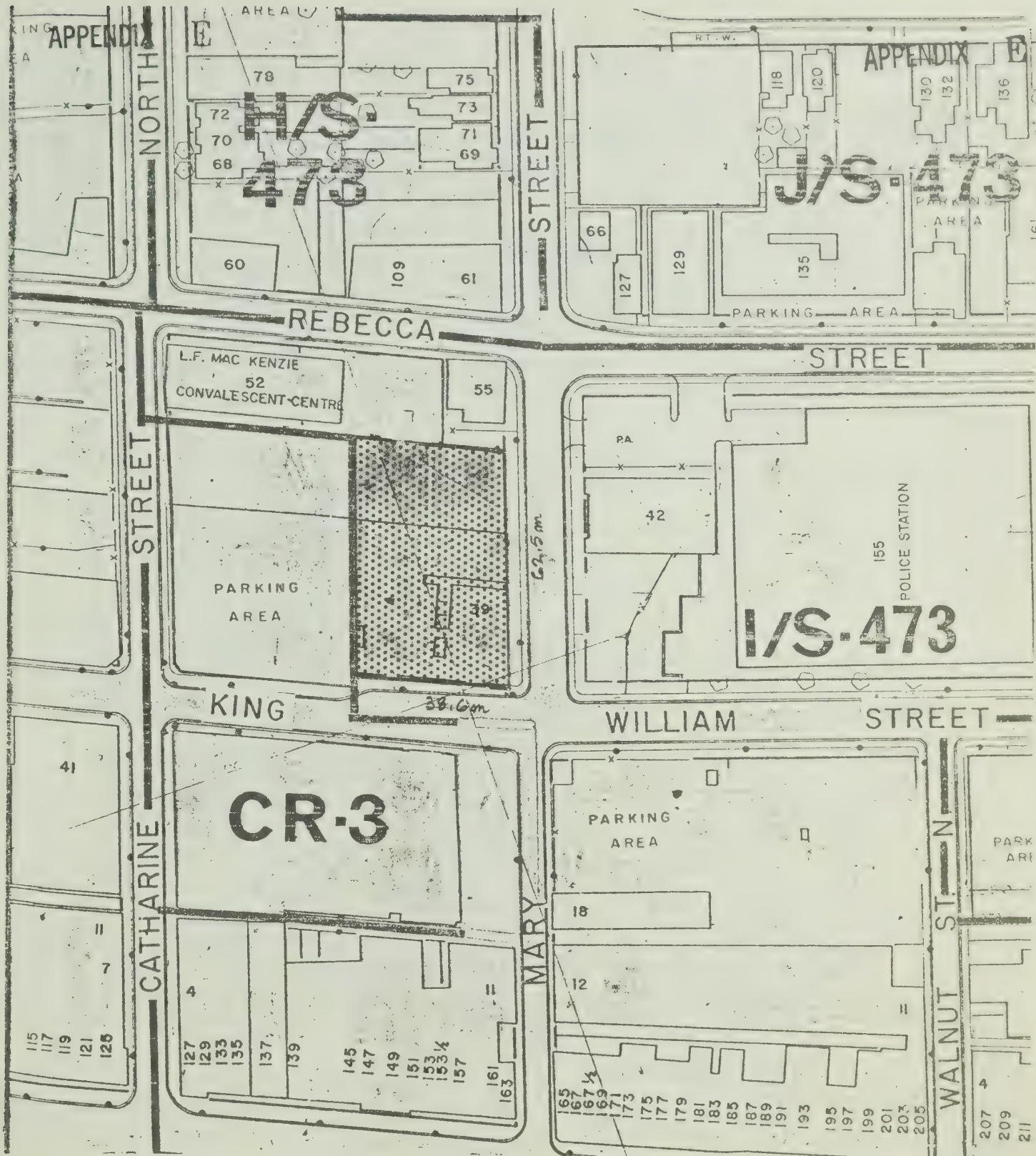
QUEENSTON ROAD



LEGEND



Change in zoning from "H" (Community Shopping and Commercial, etc.) District to "HH" (Restricted Community Commercial) District.

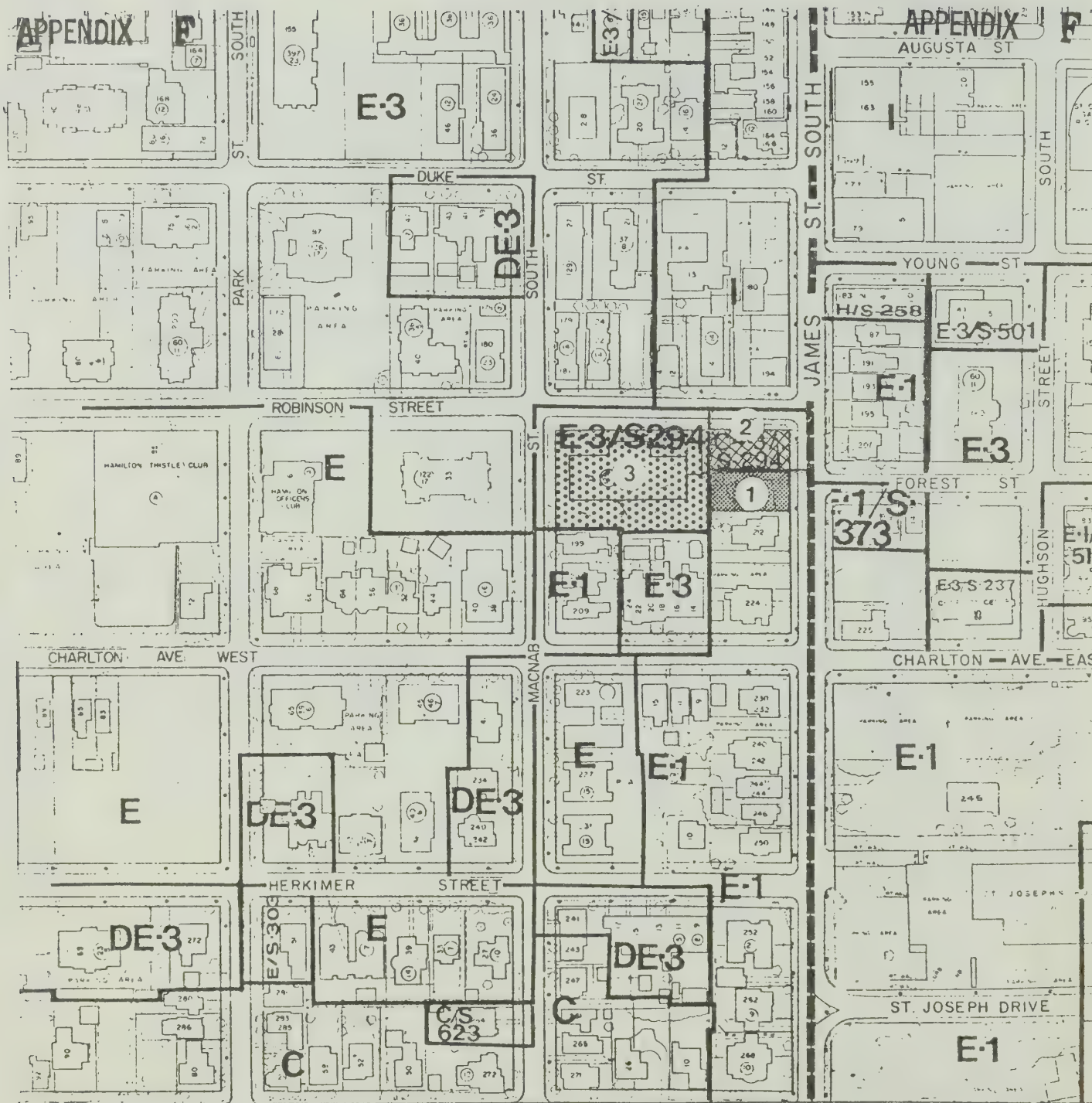


D.15

APPENDIX E

APPENDIX E

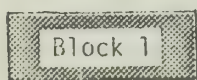
E



2A 80-67

LEGEND

Lands for Which the Following is Proposed:



Block 1

Change in zoning from "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District to "CR-3" (Commercial-Residential) District to permit Commercial-Apartment Development.



Block 2

Existing Commercial - Apartment Development



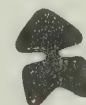
Block 3

Existing Apartment Development

D.16

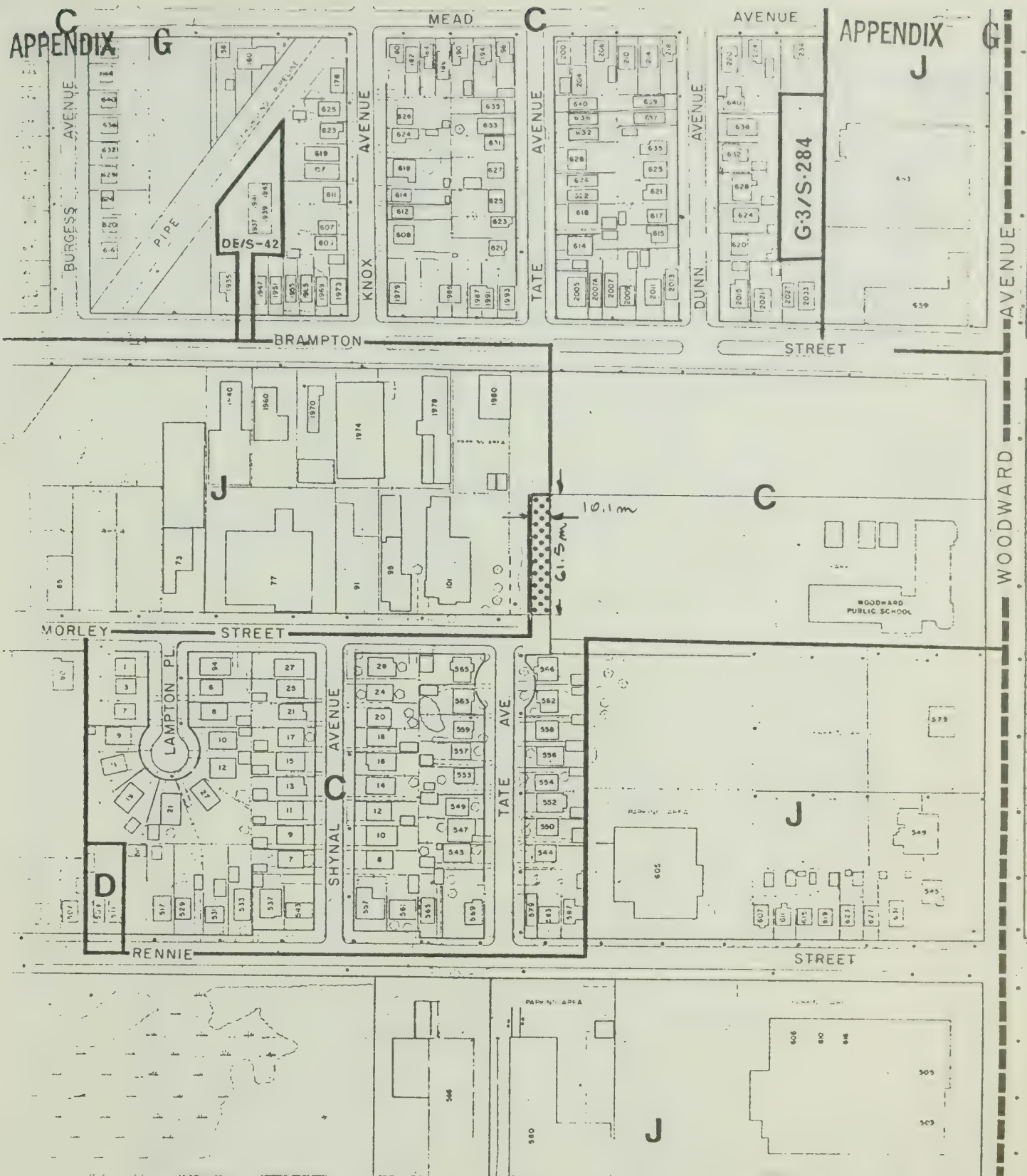
APPENDIX

F



APPENDIX

F



LEGEND

D.17

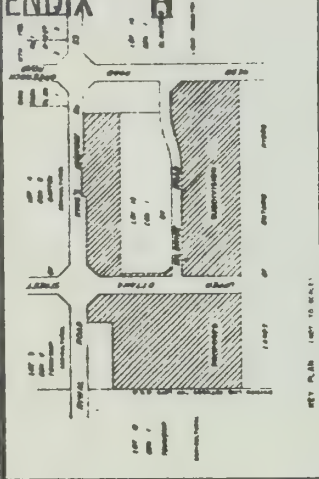


Lands for which a change in zoning from "C" (Urban Protected Residential, etc.) District to "J" (Light and Limited Heavy Industry, etc.) District is proposed.

APPENDIX G

APPENDIX G
C.I. X0-R

E



REF: CHAPTER 349 R.S.O. 1970 SECTION 35(2) THE PLANNING ACT

- [illegible]

SURVEYOR'S CERTIFICATE

1910
June 11th 1910
Bathurst
To the Hon. Secy of the
Interior, Ottawa, Ont.
Dear Sir,
I have the honor to acknowledge the receipt of your letter of the 10th inst. in relation to the application of the Bathurst and District Land Office for a grant of land for the purpose of a public road. I am sorry to hear that the application has not been successful. I am, however, sure that the land is well suited for the purpose and I am sure that the public will be benefited by the grant of the land. I am, therefore, sure that the public will be benefited by the grant of the land. I am, therefore, sure that the public will be benefited by the grant of the land.

OWNER'S AUTHORIZATION

OWNER'S AUTHORIZATION

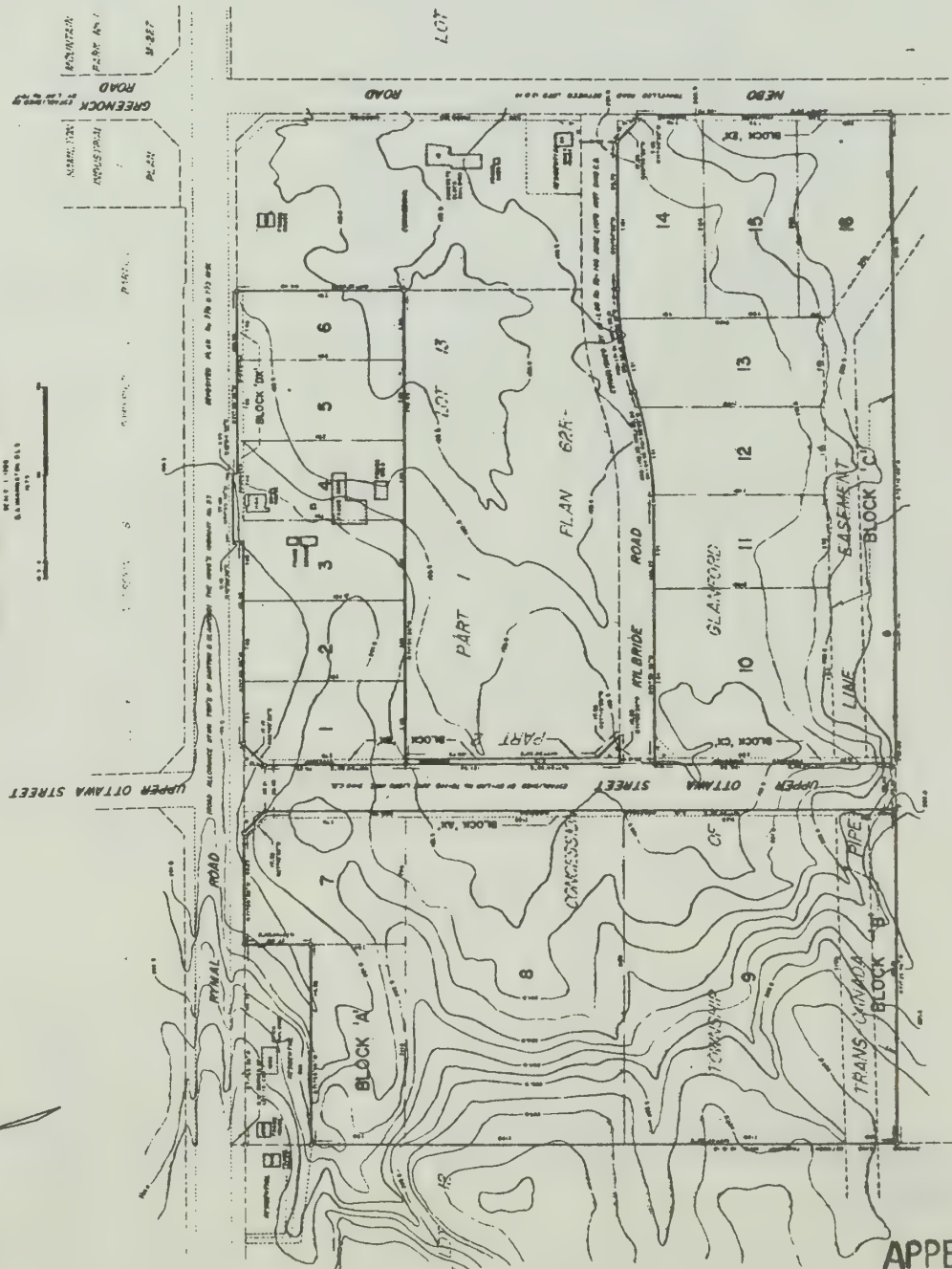
John A. Macdonald
June 11 1881
St. John's Nfld

1 FOR NO

LEGE MD

100

APPROVED: W. H. Rags
 DATE: 1951
 PLAN NO. P-1081 SURVEY: 100
 DEPARTMENT OF ENGINEERING - LAND SURVEYS
 STATE OF MISSISSIPPI



REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:-

The Planning and Development Committee presents its SIXTH Report for 1981 and respectfully recommends:-

1. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:-

536 Wentworth Street North

764 Mohawk Road East

110 Hixon Road

210 Jackson Street East

927 Stone Church Road East

159 Beach Road

2. Approval of the list of applicants submitted herewith and authorization for the Department of Community Development to process grants and/or loans in an amount not to exceed \$7,500.00. The actual amount of grant or loan to be determined by inspection of the property under The Property Standards By-law 74-74 and pursuant to The Housing Development Act, Regulation 688/74. (Ontario Home Renewal Programme).

That the officials of the Corporation involved in this programme be authorized to take all action that is necessary to process these loan applications, and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme.

E. Goddard
28 Edinburgh Avenue

H. Paulsen
49 Purvis Drive

W. Ross
1964 Main St. W.

A. Emery
1968 Main St. W.

P. Carere
29 Purvis Drive

R. Easton
264 East 21st St.

E. Chisholm
376 Emerald St. N.

G. Ferguson
115 Gladstone Avenue

H. Shiga
38 Lower Horning Rd.

P. Silvestro
34 Inchbury St.

H. Nemeth
196 Wilson St.

A. Isabelle
80 Barnesdale Ave. N.

E. Droeske
2004 Barton St. E.

M. Kerr
38 Cottrill St.

F. Gallo
344 James St. N.

V. Gray
60 Cloverhill Road

L. Stott
1966 Main St. W.

J. Blaskienicz
175 Rosedale Ave. E.

A. Cameron
382 Whitney Avenue

A. Matychuk
119 Markland St.

E. Bailey
25 Mericourt Rd.

A. McGuigan
58 Spring St.

W. Robinson
132 Barons Avenue N.

S. Galante
500 Stonechurch Rd. W.

B. Sills
36 Grosvenor Ave. S.

B. Quinn
25 Clinton St.

3. Approval of the payment of the sum of \$100.00 to Mrs. Barbara Vanderwal, 227 Charlton Avenue West, Hamilton as compensation for the injury she sustained by falling on the sidewalk on the north side of Main Street West directly across the street from the front of City Hall. The Small Claims Court Referee and Mrs. Vanderwal agreed to settle her claim in the above amount.

4. That permission be granted to the Dundas Valley School of Art to use the land at the north-east corner of King St. West and Bay Street for a carnival from May 13, 1981 to May 24, 1981, subject to the following conditions:-

- (a) The applicant to deposit with the City the sum of \$1,000.00 as a guarantee for clean up and repair of any damage which may be done to the grass.
- (b) The applicant make satisfactory insurance arrangements to indemnify the City from any loss arising out of the granting of this permission.
- (c) This permission is subject to these lands not being required by the City for development purposes.

(d) No fee be charged for the use of these lands.

5. That Westinghouse Canada Inc. be retained to carry out the electrical maintenance in City Hall, Central Utilities Plant, Hamilton Place, Hamilton Public Library and Market and Convention Centre on the basis of a two-year contract at a cost of \$183,996.00 for 1981. Based on a thorough review, it is the opinion of the City Engineer and the Committee that the City should continue with Westinghouse Canada Inc. for this work for the next two years for the following reasons:-

- (a) The 1500 cycle lighting in City Hall is still existing and the expertise of Westinghouse is still required to maintain it. This special lighting will be converted during 1981.
- (b) The Hamilton Public Library and Market was completed in 1980 and, therefore, the electrical equipment etc. will be under warranty for the next two years by Westinghouse.
- (c) The Convention Centre will be completed in 1981 and the two-year warranty, by Westinghouse, will commence.

Respectfully submitted

Alderman W. McCulloch, Chairman
Planning and Development Committee

JDT/lm
January 14, 1981

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its THIRD Report and respectfully recommends:-

Airport

1. That approval be given to Chapter 65 of the Experimental Aircraft Association to operate a Beer Garden in the Association's own hangar during the 1981 Mount Hope Airshow.
2. That the City of Hamilton convey for the sum of \$1.00 the ownership of the Terminal Building at Mount Hope Airport to the Ministry of Transport and that the existing Management Agreement be amended to show that the Terminal Operation is to continue to be administered by the City of Hamilton.

City Engineering

3. That the City Solicitor be directed to proceed with the preparation of a by-law to widen an alleyway extending from East 22nd Street to East 23rd Street, south of Concession Street by incorporating therein Part 1, Plan 62R-5592.

Regional Engineering

4. Whereas it is desirable and expedient that certain works be undertaken, it is thereby recommended that the Report of the Commissioner of Engineering and the City Treasurer appended hereto, recommending the construction of finished roadways and a concrete alleyway as local improvements on petitions of the property owners pursuant to Section 11 of the Local Improvement Act, be adopted and that the City Solicitor be directed to make application for approval under Section 64 of the Ontario Municipal Board Act.

It is also recommended that the Regional Commissioner of Engineering be authorized to undertake these works on behalf of the City of Hamilton.

5. That the application of the Hamilton Street Railway to licence portion of the road allowance at the north-east corner of Garth Street and Claudette Gate measuring 65 feet by 98 feet for the purposes of a bus loop be approved by Council provided:

- i) That the applicant executes a licence agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses, and loss.
- ii) That the applicant pay an annual rental of \$10.00 plus all applicable realty tax.
- iii) That the applicant construct the turn-around to the satisfaction of the City Authority.
- iv) That the City Solicitor be authorized and directed to prepare the necessary licence agreement.

6. That the Commissioner of Engineering be authorized to advise the owner of 712 Main Street East to install wheel stops in specified locations on St. Clair Boulevard in order to ensure that illegal parking does not occur on the boulevard.

7. That the application of the owners of 93 Alpine Avenue to retain:

- i) An inadvertent porch encroachment onto the road allowance of Alpine Avenue by a maximum of 1.2 m (3.8 feet) for an approximate distance of 3.8 m (12.4 feet);
- ii) An inadvertent stairs encroachment further onto the road allowance of Alpine Avenue by a maximum of 1.5 m (4.8 feet) for an approximate distance of 1.2 m (4 feet);

be approved during the pleasure of Council, provided:

- a) That the owners prepare an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- b) That the Finance Committee be requested to set an annual fee for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution, in addition to the \$25.00 annual fee to be charged for encroachment insurance.

8. That the application of the owner(s) of 176 Beach Road to retain an inadvertent building encroachment onto the road allowance of Rowanwood Street by a maximum of 0.7 m (2.4 feet) for an approximate distance of 11.6 m (38 feet) be approved during the pleasure of Council, provided that:

- a) The owner prepares an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses, and loss.
- b) The Finance Committee be requested to set an annual fee for this privilege, which fee shall be due and payable to the Corporation 30 days from the date

of this resolution, in addition to the \$25.00 annual fee to be charged the owners for encroachment insurance.

Real Estate

9. That the sale by the City to Gary Wayne Hill and Lisa Gail Hill, of a parcel of land being composed of part of Lot 69 Registered Plan 446 in the Township of Barton and having a frontage of 44.43 feet (more or less) on the easterly limit of Upper James Street by an irregular depth of up to 87.82 feet (more or less) and containing an approximate area of 4,223 square feet, together with all structures erected thereon, also known municipally as 479 Upper James Street, for the sum of \$38,000.00, be completed. Cash on closing of sale which shall be on or before May 1st, 1981. A deposit of \$3,800 has been forwarded to the City Treasurer.

Note: It is understood and agreed that the Purchaser shall purchase the subject property as it exists at the present time and the Vendor makes no representation or warranty of any kind whatsoever with respect to any defects in workmanship and/or materials and any item of construction which has not been completed and the Vendor shall have no responsibility whatsoever to remedy any such defects and/or complete any unfinished work.

This property was purchased in 1969 for the Claremont Hill Mountain Access Road and the portion required for the widening has since been utilized, leaving the house and remaining land surplus to City requirements. This property has been a City rental since 1969.

10. Whereas on March 13, 1979 City Council approved the recommendation of the Civic Airport Committee to grant a lease to Active Canada Limited operating as Thrifty Rent-A-Car for space at Hamilton Civic Airport commencing April 1st, 1971 at a rental of \$100.00 per month plus taxes and whereas Thrifty Rent-A-Car has since been sold to Mr. Michael Ford, it is therefore recommended that the existing lease be assigned to Mr. Michael Ford, Trustee, carrying on business as Thrifty Rent-A-Car effective June 13, 1980.

Traffic

11. Whereas during 1980 tenders were received for a traffic signal bucket truck and the lowest acceptable tender was subsequently forwarded to and approved by City Council, and whereas the Director of Purchases has since received a price increase notice for this unit from International Harvester effective December 1st, 1980, due to a price increase for the aerial crane and body, it is therefore recommended that the increased price (in the amount of \$2,099.30) be added to the 1981 Traffic Department budget.

12. That Schedule 25 A (Parking Time Limit, Monday - Friday) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966, be hereby further amended by deleting from Section 5 (One Hour Limit) the following item namely:

"Bond

Both

King to Marion"

Miscellaneous

13. That the recommendation of the Director of Purchases to replace the Total Radio Communications System used by the City and the Region be approved.

Note: The City Share of the total cost of the Radio Communications System as recommended by KVA Communication and Electronics, including the final training programme and a contingency will cost \$451,000.00 if replaced in the first quarter of 1981. Failure to meet this date will impose an additional 6% on the overall project cost.

14. That the recommendation of the Director of Purchases re: the following items, be approved:

- a) Ibis Products Ltd., - For the supply and delivery of Traffic Paint for the year 1981, in accordance with specifications issued by the Director of Purchases and Vendor's Tender as follows:

White in 45 Gal. Drums - \$5.85 Per Gallon
Yellow in 45 Gal. Drums - \$6.10 Per Gallon
Ontario Retail Sales Tax Exempt.
Deposit Charge for returnable Drums - \$30.00

- b) Niagara Paint & Chemical Ltd., - For the supply and delivery of Traffic Paint for the year 1981, in accordance with specifications issued by the Director of Purchases and Vendor's Tender as follows:

White in 5 Gal. Pails - \$6.10 Per Gallon
Yellow in 5 Gal. Pails - \$6.37 Per Gallon
Thinner in 45 Gal. Containers - \$2.65 Per Gallon
Ontario Retail Sales Tax Exempt.

Note: The above recommendations for Traffic Paint are the lowest of 4 tenders.

- c) Flex-O-Lite of Canada - For the supply and delivery of Moisture Proof Drop On Glass Beads in accordance with specifications issued by the Director of Purchases and Vendor's Tender as follows:

Approx. 60,000 lbs. (50 lb. bags), delivered in 5 shipments
\$.2575 per lb. Ontario Retail Sales Tax Exempt.

Note: Lower of 2 tenders

- d) Canameque Equipment Ltd. - 1 - Slip-out Asphalt Hot Patch Box P.B. Model B-3SM.....\$11,000.00 F.O.B. Brampton, Ontario. Federal Sales Tax Exempt.
Ontario Retail Sales Tax Extra at 7%.

Note: Above is a demonstrator machine.

- e) Superior Propane Ltd. - To supply and install Bulk Storage Tanks at Brampton and Mohawk Yards and to deliver Propane Gas thereto, in accordance with specifications issued by the Director of Purchases and Vendor's Tender as follows:

\$.877 Per Imperial Gallon delivered and deposited in Storage Tanks, all charges included.

Note: Lower of 2 tenders.

15. That leave be granted to introduce the following bills:

- a) Bill No. E9- By-law to set apart a portion of the road allowance between Lots 18 & 19, Plan M-131 for the purposes of a carriage way and to name the said portion Garth Street.
- b) Bill No. E10 - By-law to widen Burlington Street at Ferguson Avenue
- c) Bill No. E11 - By-law to widen Birchview Drive at north-west corner of Limeridge Road.

Respectfully submitted,

Alderman I. Stout
Acting Chairman

R.C. Prowse, Secretary
January 19, 1981
Attachments.

REPORT ON LOCAL IMPROVEMENTS

To the Chairman and Members of the Transport and Environment Committee

Members of the Committee:

The following works are recommended to be undertaken as Local Improvements under "The Local Improvement Act".

Name of Street upon which work is to be Constructed	Between the following Streets or Points	Project Number	Estimated Gross Cost in Years of Work	Share or Portion of Cost which should be Borne by the Lands Abut- ting directly on the Work to be Debentured	Share or Portion that should be Borne by the Corporation	Reduction Which Ought to be Made under Section 28 of the Act	Aggregate Amount of such Reduction	Estimated Cost Per Metre to be Rated
Finished Roadway (Sec. 11 L.I.A.) Referred to in Section 4								
GUELPH STREET, from Mahony Avenue to Goggin Avenue		807-32H	20	\$52,500.00	\$45,314.80	58.52 m	\$3,364.90	\$57.50
Estimated Subsidy: \$16,000.00								
Estimated Net City's Share to be Debentured - \$29,314.80								
Concrete Alley (Sec. 11 L.I.A.) Referred to in Section 4								
CANNON STREET EAST to Evans Street Between West Avenue North and Victoria Avenue North		801-28H	20	\$16,000.00	\$13,463.04	46.32 m	\$1,551.72	\$33.50
Estimated Subsidy: NIL								
Estimated Net City's Share to be Debentured - \$13,463.04								
Finished Roadway (Sec. 11 L.I.A.) Referred to in Section 4								
BLYTHER STREET, from Stinson Street to Alanson Street		802-41H	20	\$52,500.00	\$42,100.55	39 m	\$2,242.50	\$57.50
Estimated Subsidy: \$13,000.00								
Estimated Net City's Share to be Debentured - \$29,100.55								

- Estimated cost per metre increased by approx. if debentured over 15 years.

DATED at Hamilton this day of A.D., 19

W. H. McFarland

Treasurer and Commissioner of Finance.

J. R. G. Leach

Commissioner of Engineering

REPORT OF THE PERSONNEL COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its SECOND Report for 1981 and respectfully recommends:

1. Approval of the action of the Personnel Committee in awarding the following settlement to Mr. W. Orr, former Resident Supervisor, Confederation Park:
 - a) That an agreement be drawn up and signed by Mr. Orr to the effect that he accepts the Corporation's offer of:
 - i) \$5,105.31 cash and
 - ii) 34 days returned to his sick bankin full settlement of the outstanding differences between The Corporation and himself resulting from his employment as Resident Supervisor-Confederation Park.
 - b) That Mr. Orr write to the Chairman of the Grievance Committee of Local 167, C.U.P.E. indicating to them that he has reached a satisfactory settlement with the Corporation and that any action that was to be taken on his behalf by Local 167, C.U.P.E. is now and shall remain dropped.
 - c) That arrangements be made by the Personnel Director through the City Treasurer for the payment of \$5,105.31 to Mr. Orr.
 - d) That the Personnel Director be authorized by the Committee and Council to restore 34 days to Mr. Orr's sick leave bank.
2. Approval of the following reclassifications:
 - a) Personnel Department - Assistant to the Personnel Director from Salary Schedule 117, \$24,362.00, \$25,460.76, \$26,605.28, \$27,802.84, \$29,052.40 per annum to Salary Schedule 118, \$26,367.12, \$27,552.20, \$28,791.88, \$30,088.24, \$31,441.28 per annum. Further that the present incumbent Mrs. D. Jones who is presently receiving \$29,052.40 per annum be placed in the 5th step of Salary Schedule 118, \$31,441.28 effective January 5, 1981.
 - b) Personnel Department - Wage and Salary Research Officer from Salary Schedule 116, \$22,673.56, \$23,459.28, \$24,375.00, \$25,486.24, \$26,728.52 per annum to Salary Schedule 114, \$19,245.20, \$20,112.56, \$21,017.36, \$21,963.76, \$22,951.24

per annum. Further that Mrs. W. Anderson who is presently receiving \$18,470.92 as secretary to the Personnel Director be appointed as Wage and Salary Research Officer and placed in the 1st step of Salary Schedule 114, \$19,245.20 effective February 2, 1981.

- c) City Solicitor's Department - Solicitor II to Solicitor I from Salary Schedule 118, \$26,367.12, \$27,552.20, \$28,791.88, \$30,088.24, \$31,441.28 per annum to Salary Schedule 119, \$28,700.88, \$29,992.04, \$31,343.00, \$32,753.24, \$34,227.96 per annum. Further that Mr. P. Hooker, the present incumbent, be placed in the 4th step of Salary Schedule 119, \$32,753.24 effective December 15, 1980.

3. The approval of the establishment of the following positions:

- a) Traffic Department - Office Manager and Accountant, Salary Schedule 116, \$22,673.56, \$23,459.28, \$24,375.00, \$25,486.24, \$26,728.52 per annum and further that Mr. W. Nelson who is presently performing the duties encompassed in this position be placed in the 3rd step of Salary Schedule 116, \$24,375.00 effective December 22, 1980.

NOTE: The position of Committee Secretary and Office Manager will be deleted from the staff quota of the Traffic Department as a result of the establishment of the foregoing position.

- b) Traffic Department - By-law Administrator, Salary Schedule 114, \$19,245.20, \$20,112.56, \$21,017.36, \$21,963.76, \$22,951.24 per annum and further that this position be posted and filled.
- c) That the position of Assistant Office Manager and Cost Accountant be deleted from the staff quota of the Traffic Department.

4. Approval of the action of the Personnel Committee in awarding the following contract:

FIRE DEPARTMENT

Demik Construction Ltd., Hamilton, Ontario.

Construct Site Facilities at Simulated Fire Rescue Complex for a total cost of \$21,000.00

Note: Lowest of 4 quotations.

5. Approval of the following increase in rate of pay to City Plywoods (Hamilton) Ltd. for "Security of Buildings and Duty Requirements" effective January 1, 1981:

\$22.00 per hour for carpenter - handyperson, including truck
\$ 5.00 per hour for helper - if required.

6. That leave be granted to introduce the following Bill:
 - a) By-law to amend By-law No. 68-34 respecting Probationary Period; Platoons and Districts.
7. Approval of the following increase in rates for the Mechanical Contractors Association of Hamilton and the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada, Local Union 67:

	<u>Old Rate</u>	<u>New Rate</u>
Base Wage	\$13.07	\$14.34
Vacation & Statutory Holiday Pay (10%)	1.31	1.44
Health & Welfare	.69	.69
Pension	.75	.75
S.U.B.	.10	.10
Field Dues Fund	.10	.10
Training Funds	.04	.06
O.P.T.C. Promotion Fund	.01	.01
Total	\$16.07	\$17.49
M.C.A.H. Industry Fund	.10	.10
TOTAL PACKAGE	\$16.17	\$17.59
Travel Allowance	.24	.29

Maximum Travel Allowance - Hamilton - \$18.13 per day worked
 Daily Travel Allowance to Stelco L.E.D. - $54 \times .29 = \$15.66$
 Board Allowance - Hamilton - May 21, 1980 - \$17.00 per day -
 May 1, 1981 - \$21.00 per day

RESPECTFULLY SUBMITTED,

ALDERMAN P. DRAGE,
 CHAIRMAN, PERSONNEL COMMITTEE

G. W. McMillan,
 Secretary,
 January 21, 1981

2nd FL

MEETING OF CITY COUNCIL

FEBRUARY 10, 1981

A G E N D A

- A Finance Committee
- C Parks and Recreation Committee
- D Planning and Development Committee
- E Transport and Environment Committee
- J By-laws

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:-

The Finance Committee presents its FOURTH Report and respectfully recommends:-

1. Section 1 of the Fourth Report of the Parks and Recreation Committee makes reference to the appointment of Moffat Engineering Ltd. as electrical engineering consultants for the Coronation Rink/Pool Renovation Project at a total estimated fee of \$4,500.00. The Finance Committee recommends that this expenditure be financed from the 1980 Current Estimates.
2. Section 20 of the Fourth Report of the Transport and Environment Committee makes reference to the participation of the City along with the Region in a joint vehicle maintenance and facilities study at a cost to the City of \$20,000.00. The Finance Committee recommends that the City Treasurer be authorized and directed to provide an amount of \$20,000.00 in the 1981 Estimates of the Streets and Sanitation Department to finance this expenditure and that the City's participation in this study be under the direction of the Depreciation Sub-Committee of the Finance Committee.
3. Approval of the awarding of the following contracts:-

LILO PRODUCTS, Hamilton.

For the supply and delivery of 200 cases of Water Cups and 500 cases of Thermo Cups for a total of.....\$13,498.05.

Note: Lowest of 7 tenders.

WYANT & CO. LTD., Toronto.

For the supply and delivery of 400 cases of single Fold Paper Towels for a total of.....\$4,678.04.

Note: Lowest of 10 tenders.

4. Approval of an operating grant of \$7,500.00 to the 91st Highlanders Athletic Association to assist in the staging of the Annual Track Meet to be held February 28, 1981, plus an additional grant of approximately \$5,140.00 as the City's share towards the cost of the supply, erection and dismantling of temporary bleachers. The total grant of \$12,640.00 is to be charged to Account No. 0374-0660.

Note: For the information of the Members of City Council, the 91st Highlanders Athletic Association will be contributing an amount of \$1,600.00 towards the cost of the supply, erection and dismantling of temporary bleachers.

5. Approval of the acquisition of the property located at 18 Main Street East measuring 158.72 feet by 137.28 feet and containing approximately 21,789 square feet from 317158 Ontario Limited for the sum of \$915,141.00. Option to be accepted on or before February 27, 1981. Cash on closing of sale which shall be on or before April 10, 1981. There are sufficient funds in Account No. 0408-P9400 for this acquisition. Required for off-street parking purposes.
6. Approval of an additional expenditure of \$4,890.00 required to complete the alterations to the Canadian Football Hall of Fame building for the accommodation of the Press Club of Hamilton. The additional cost of this work and safety equipment to be provided has been requested by the Building Department. It is recommended that this additional cost of \$4,890.00 be financed from the 1981 Estimates of the Property Department.
7. City Council at its meeting held October 28, 1980 in adopting Section 17 of the 46th Report of the Board of Control authorized the leasing of a portion of the Canadian Football Hall of Fame building to the Press Club of Hamilton effective January 1, 1981. Inasmuch as the alterations to this building have not been completed and the Press Club has not been able to occupy the building, it is recommended that the effective date of the lease be changed to the date that occupancy takes place.
8. Approval of an overdraft of \$2,350.00 in Account No. 0322-0251, Examiner's Fees, City Clerk's Department, to complete the financing required for the payment of honoraria to thirteen (13) members of the Examining Board for trade licences for services provided during 1980.
9. Approval of a policy whereby all Special Event grants, over a five-year period commencing January 1, 1982, will be reduced, on a decreasing basis, to a point where no financial assistance will be required from the City of Hamilton at the end of this five-year period and the special event is expected to become self-supporting.

Note: For the information of the Members of City Council the Grants Sub-Committee of the Finance Committee is undertaking a review of all grants under the jurisdiction of the Finance Committee with the view to applying this policy to these grants as well.

10. That leave be granted to introduce the following bill:

- (a) Bill A-7 - By-law to confirm proceedings of the Council of the Corporation of the City of Hamilton at its meeting held on the 10th day of February, 1981.

RESPECTFULLY SUBMITTED,

ALDERMAN P. O. VALERIANO,
CHAIRMAN, FINANCE COMMITTEE.

R. M. Collier, Secretary.
February 5, 1981.

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its FOURTH Report for 1981 and respectfully recommends:

1. In adopting section 5 of the Second Report of the Parks and Recreation Committee, City Council at its meeting on January 13th, 1981 authorized the City Engineer to provide electrical consulting services for the Coronation Rink/Pool Renovation Project.

It has since been determined that due to the workload of its Electrical Division, it is not possible for the City Engineer's Department to provide this service at this time.

The committee therefore respectfully recommends:

- (a) that the firm of Moffat Engineering Limited, 21 Hunter Street East, Hamilton, Ontario, be retained to carry out investigations, prepare plans, specifications and cost estimates for the electrical aspects of the Coronation Rink/Pool Renovation Project, at a total estimated fee of \$4,500.00;
 - (b) that subsection (b) of section 5 of the Second Report of the Parks and Recreation Committee, approved by City Council at its meeting on January 13th, 1981, which authorizes the City Engineer to provide electrical consulting services for the Coronation Rink/Pool Renovation Project, be resinded;
 - (c) that the Finance Committee be requested to recommend the method of financing the consultant's fee, which is estimated to be \$4,500.00.
2. (a) Approval of the appointment of M. R. Byrne and Associates Ltd., Professional Engineers, 480 Guelph Line, Burlington, Ontario to carry out investigations, prepare plans, specifications and cost estimates for the electrical aspects of the Dundurn Castle Renovation Project, at a total estimated fee of \$6,500.00;
 - (b) that the cost of these fees be charged against the \$250,000.00 appropriation for this project, as approved by City Council at its meeting on September 9th, 1980.
3. Acceptance of the offer from the Mount Hamilton Minor Hockey Association to donate and install an electric clock at Inch Park, at an estimated cost of \$4,000.00.

This offer is accepted on the understanding that;

- (a) approximately \$2,000.00 of the total cost will be donated by Claude Castonguay and Sons Enterprises Ltd., and that a sign, in recognition of this firm's contribution, satisfactory to the Director of Recreation, be installed;
 - (b) that the type of clock and location of same be to the satisfaction of the Director of Recreation; and,
 - (c) that this clock, once installed, become the property of the City of Hamilton and be maintained by same.
4. Approval of the acquisition of the property at 45 Elgin Street, measuring approximately 22 feet by 130 feet, from Janet Smith, In Trust, for the sum of \$22,500.00. Option to be accepted on or before February 13th, 1981. Cash on closing of sale which shall be on or before March 13th, 1981.

This property is required by the City for future expansion of Beasley Neighbourhood Park. Sufficient funds are available in account number 0408-C66046, Beasley Park Priority Account, to provide for this acquisition.

5. Approval of the application by the Ontario Drum and Bugle Association to hold their Third Annual Drum and Bugle Competitions in Ivor Wynne Stadium on August 16th, 1981 between the hours of 9:00 a.m. and 11:00 p.m., subject to the following terms and conditions:
- (a) that the rental rate be \$2,000.00;
 - (b) that the applicant provide proof of \$2,000,000.00 Comprehensive General Liability Insurance for Property Damage and Bodily Injury (inclusive and aggregate);
 - (c) that the "Special Event Permit" regulating the use of Ivor Wynne Stadium, be applicable;
 - (d) that adequate police supervision, as deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense; and,
 - (e) that admission be restricted to the south stands only.
6. That the rental rates for City of Hamilton Indoor Swimming Pools be increased as follows:

	From	To
Maintenance Charges	\$15.00 per hr.	\$28.00 per hr.
Staff (per lifeguard)	\$ 4.00 per hr.	\$ 8.80 per hr.

(a) That, with the following exceptions, these rates be effective upon adoption by City Council.

(i) The Boards of Education, having previously been notified of pending increases, to be required to pay the increased rates, effective January 1st, 1981.

(ii) That the increased rates not apply to Community Organizations which have applied for or received permits, prior to the adoption of these rates.

7. In adopting section 1 of the Ninth Report of the Parks and Recreation Committee, City Council at its meeting on April 29th, 1980 approved, subject to a number of conditions, the application of Robinson Funeral Home Limited to erect and maintain three (3) pole-mounted lighting fixtures along the northerly boundary of Wellington Park.

Robinson Funeral Home Limited has since advised the City that it has made alternative arrangements for the illuminating of the Funeral Home and therefore the committee recommends that item 1 of the Ninth Report of the Parks and Recreation Committee, adopted by City Council at its meeting April 29th, 1980, be resinded.

8. City Council at its meeting on September 9th, 1980 in adopting section 3 of the Sixteenth Report of the Parks and Recreation Committee approved the entering into of an agreement between the City and Imperial Tobacco Limited, with respect to scoreboards at Ivor Wynne Stadium and Bernie Arbour Stadium.

One of the conditions of the proposed agreement was that Imperial Tobacco Limited would install and maintain a scoreboard at Mohawk Sports Park. For various reasons this installation was not proceeded with and therefore the committee recommends that subsection (b) of section 3 of the Sixteenth Report of the Parks and Recreation Committee, which was approved by City Council at its meeting on September 9th, 1980, which required Imperial Tobacco to install a scoreboard at the Mohawk Sports Park, be resinded and that Imperial Tobacco be instead required to pay to the City of Hamilton the sum of \$7,000.00 for the privilege of having its sign and advertising in Ivor Wynne Stadium and Bernie Arbour Stadium.

9. The Parks and Recreation Committee advised City Council, at its meeting January 13th, 1981, of its intention to appoint various subcommittees to assist it in carrying out its duties and responsibilities.

In this regard, the Parks and Recreation Committee wishes to advise City Council of the following appointments:

(a) HAMILTON HISTORICAL BOARD 1981 - 1982 TERM

Alderman Wm. M. McCulloch
Alderman R. Wheeler
Alderman J. A. Bethune

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Rev. Melville Bailey
Mr. Anthony Butler
Mr. J. Stewart Callaghan
Mr. Stanley Dudzic
Ms. Sheila Scott
Ms. Susan Shaker

(b) HAMILTON VETERANS' COMMITTEE 1981 TERM

Alderman Wm. M. McCulloch
Mr. A. H. Black
Mr. F. Caldwell
Mr. J. O. Fuller

(c) HAMILTON-SCOURGE STEERING COMMITTEE 1981 - 1982 TERM

Alderman Wm. M. McCulloch, Chairman
Alderman I. Stout
Alderman J. A. Bethune
Mayor Wm. Powell
Dr. D. A. Nelson
Dr. A. D. Tushingham
Dr. P. G. Sly

(d) PARKS AND RECREATION CITIZENS ADVISORY COMMITTEE 1981 TERM

Alderman B. Hinkley
Mr. Jack C. Beemer
Mr. Ted Ferguson
Mrs. Lenore Hemstreet
Mr. F. J. Hickey
Mr. Tom Murray
Miss Joan Rapsavage
Mr. Peter H. Rhodes

NOTE: The resolution establishing the Parks and Recreation Citizens Advisory Committee provides for two members of the Parks and Recreation Committee, along with seven citizen members. Inasmuch as only one member of the Parks and Recreation Committee is desirous of serving on this committee, it was agreed that this position would be made available to any member of City Council who may wish to serve thereon.

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(e) HAMILTON SPECIAL EVENTS COMMITTEE 1981 - 1982 TERM

Alderman P. W. Drage
Alderman B. Hinkley
Alderman I. Stout
Ms. Margaret DeRoo
Mr. W. J. Gardener
Mr. Paul Hourigan
Mr. J. Kiriakopoulos
Mr. Colin T. Millar
Ms. Ann Francis Oakes

Respectfully submitted,

Alderman Brian Hinkley
Acting Chairman

J. J. Schatz, Secretary
January 29th, 1981

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its SEVENTH Report for 1981 and recommends:

1. That approval be given to part of Zoning Application 80-07, Gurnett Investments, owner, to establish a change in zoning of lands on the west side of Upper Horning Road as shown on the plan at Appendix "A" attached, on the following basis:

- i) That part of the subject lands described as Block 1 be rezoned from "AA" (Agricultural) District to "G" (Neighbourhood Shopping Centre, etc.) District.
- ii) That part of the subject lands described as Block 2 be rezoned from "AA" (Agricultural) District to "DE-2" (Multiple Dwellings) District with the following restriction:

That the density of the development shall not exceed 150 dwelling units.
- iii) That the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-734 and that the subject land described as Block 2 on Zoning District Map W-43C be notated S-734.
- iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map W-43C and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- v) That the Gurnett Neighbourhood Plan be amended accordingly.
- vi) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note

The by-law will establish zoning for the development of 4.44 hectares (11.0 acres) of lands located on the west side of Upper Horning Road. As shown on the Zoning District Map W-43C, the following zoning will be established:

Block 1	0.80 hectares (2 acres)	"G" (Neighbourhood Shopping Centre, etc.) District, to permit a neighbourhood commercial development.
Block 2	3.64 hectares (9 acres)	"DE-2" (Multiple Dwellings) District, to permit a multiple residential development with a maximum density of 150 dwelling units.

2. That approval be given to Zoning Application 80-75, G. Tzineurakis, owner, to establish a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "G-3" (Public Parking Lots) District of property at No. 11 Arthur Avenue South, as shown on the plan at Appendix "B" attached, on the following basis:

- i) That the subject land be rezoned from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "G-3" (Public Parking Lots) District.
- ii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map E-22 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- iii) That the Gibson Neighbourhood Plan be amended accordingly.
- iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note

The by-law will provide for a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "G-3" (Public Parking Lots) District of property at No. 11 Arthur Avenue South, the location of which is shown on Zoning District Map E-22. The purpose of the change is to permit a parking lot to be used in conjunction with the restaurant located on adjoining property at No. 762 King Street East.

3. That approval be given to City Initiative 80-Q, to establish a modification to the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District Zoning Regulations applicable to property at Nos. 80, 84 and 88 Century Street, as shown on the plan at Appendix "C" attached, on the following basis:

- i) That pursuant to Section 35(29) of The Planning Act, the subject land may be used on an interim and temporary basis for the parking of motor vehicles.
- ii) That the amending by-law be given two readings, and that third reading be given when the existing buildings on the property have been removed.
- iii) That the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-735 and that the subject land on Zoning District Map E-13 be notated S-735.
- iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map E-13 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.

Explanatory Note

The by-law will provide for a modification to the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District Zoning Regulations applicable to property at Nos. 80, 84 and 88 Century Street, as shown on Zoning District Map E-13, so as to permit the land to be used on a temporary basis for parking.

4. That Zoning Application 80-85, Shire's Do-Nuts Limited, owner, requesting a zoning change from "H" (Community Shopping and Commercial, etc.) District Regulations as modified by the special provisions of Section 19B of By-law 6593 as S-352, so as to permit additional commercial use on property at No. 15 Queensdale Avenue West be refused for the following reason:

It is considered that the illegally established commercial use of the property for which the zoning change is requested adversely affects the surrounding residential area.

5. That the Regional Municipality of Hamilton-Wentworth be requested to extend for one year the draft approvals of the following subdivision applications:

- a) Rexford Heights (Phase 2) - (SA77-21)
- b) Rexford Gardens (Phase 2) - (SA77-22)
- c) Rexford Survey - (SA77-23)

NOTE: The Draft Plan approval for Rexford Heights (Phase 2) and Rexford Gardens (Phase 2) expire on February 13, 1981 and draft approval for Rexford Survey expires on March 6, 1981. Since these plans implement the approved Neighbourhood Plan for this area, it is recommended that the draft approval be extended.

6. That the Landsdale Neighbourhood Plan be amended to provide for a small park to be established within the block bounded by Wilson, Steven, Century and Ashley Streets.

7. That the Corporation of the City of Hamilton accept lands shown as Part 2, Lot 3 and Part 9, Lot 2 on Reference Plan 62R-5470, containing approximately 2.191 hectares (5.414 acres) to establish the extension of Garth Street, south of Rymal Road, to a width of 36 metres (120 feet).

8. That leave be granted to introduce the following Bills:-

- (a) Bill Number D24 - By-law to Amend: Zoning By-law No. 6593
Respecting: The westerly part of land located at Municipal Nos. 750 to 754 Queenston Road.
- (b) Bill Number D25 - By-law to Amend: Zoning By-law No. 6593
Respecting: Land located at Municipal Nos. 121 King William Street and 53 Mary Street.
- (c) Bill Number D26 - By-law to Amend: Zoning By-law No. 6593
Respecting: Land located at the rear of Municipal No. 685 Main Street East.

- (d) Bill Number D27 - By-law to Amend: Zoning By-law No. 6593
Respecting: Land located on the north side of Morley Street,
in the area west of Woodward Avenue.
- (e) Bill Number D28 - By-law to Amend: Zoning By-law No. 6593
Respecting: Land located at Municipal No. 258 Britannia Avenue.

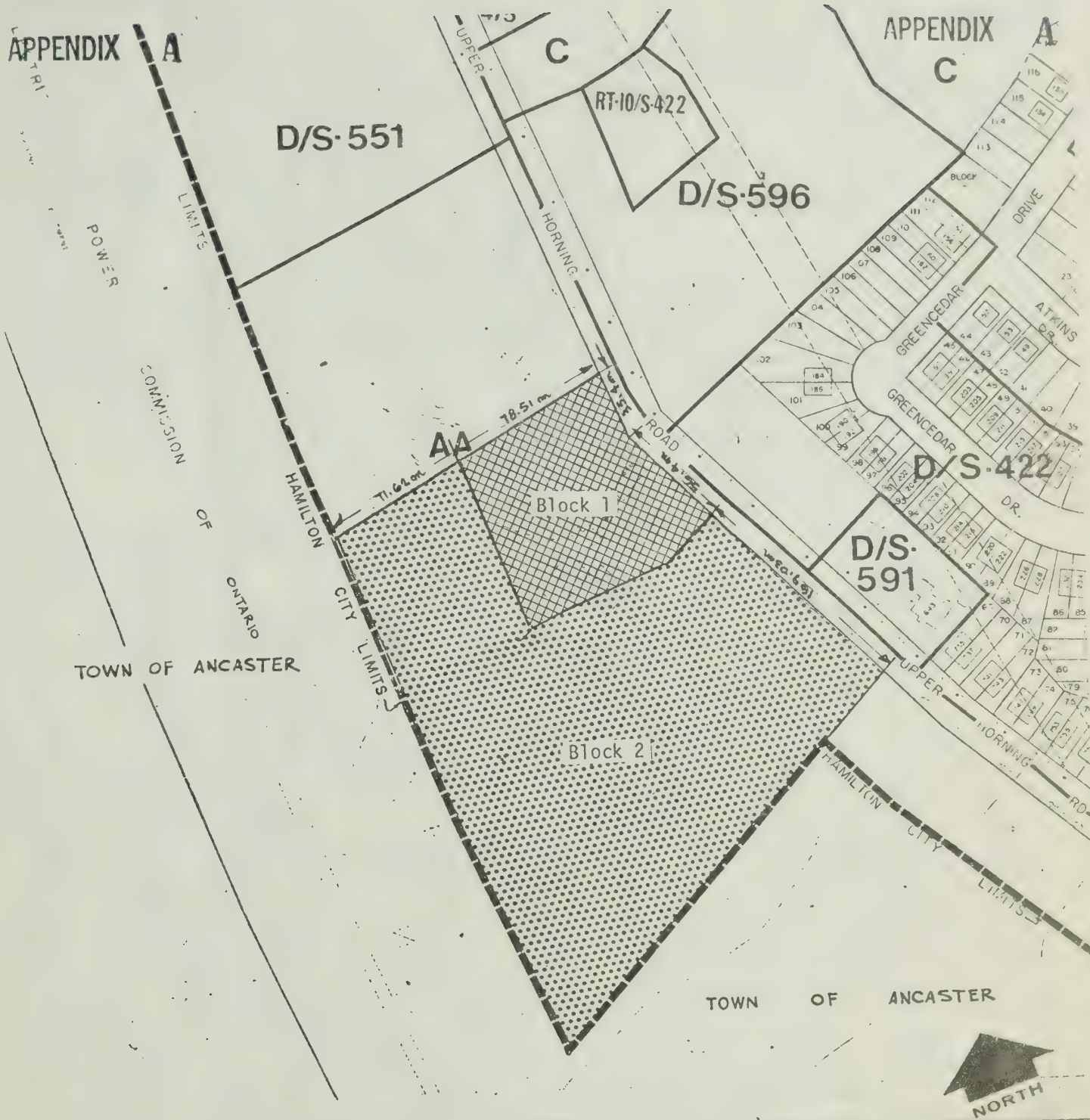
Respectfully submitted,

Alderman W. M. McCulloch, Chairman
Planning and Development Committee

JWW:jm
February 5, 1981

APPENDIX A

APPENDIX A



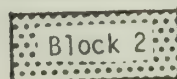
LEGEND

Lands for which a change in zoning from "AA" (Agricultural) District to the following zoning is proposed:



Block 1

"G" (Neighbourhood Shopping Centre, etc.) District.



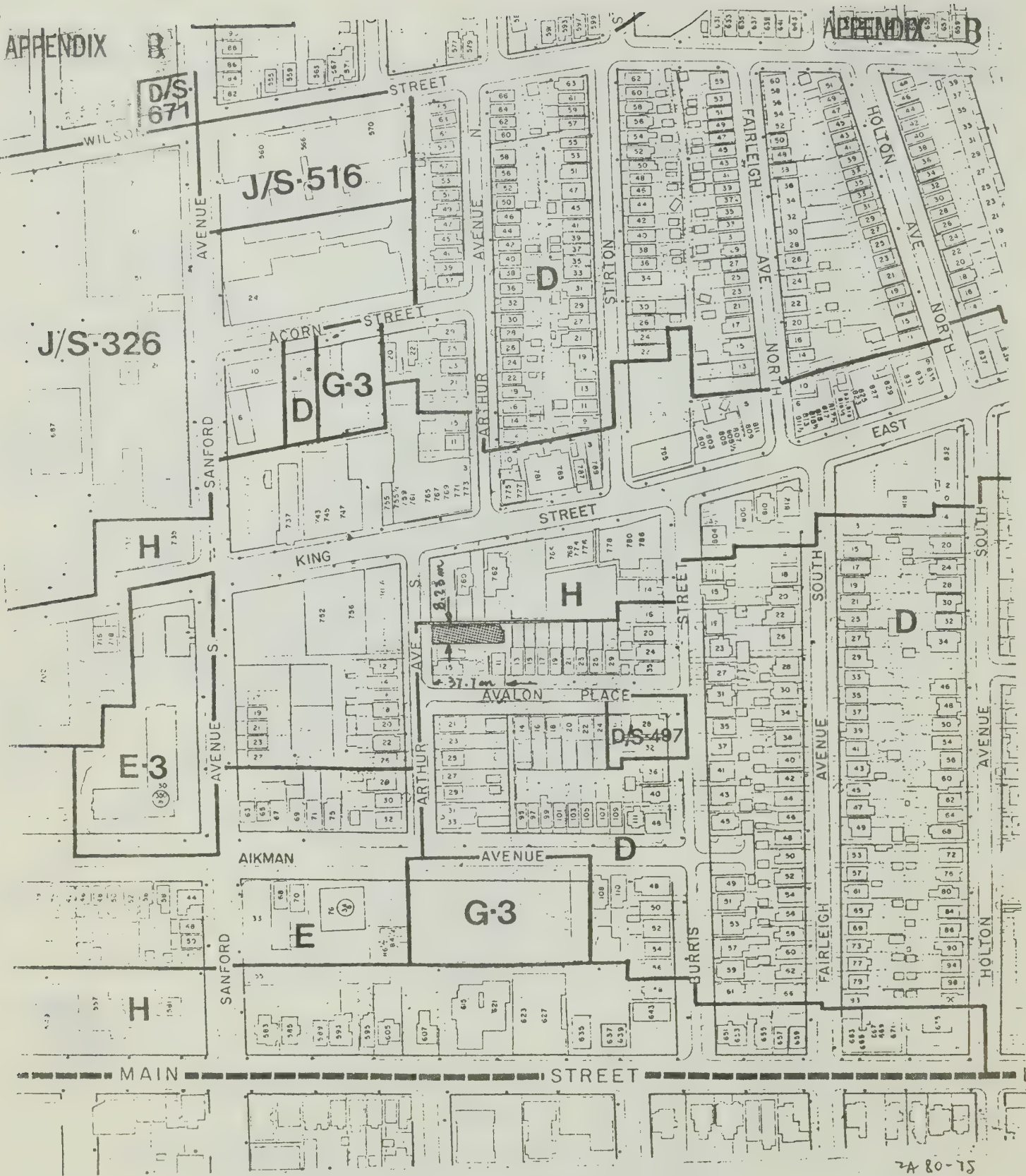
Block 2

"DE-2" (Multiple Dwellings) District.

APPENDIX A D.5

APPENDIX A

E

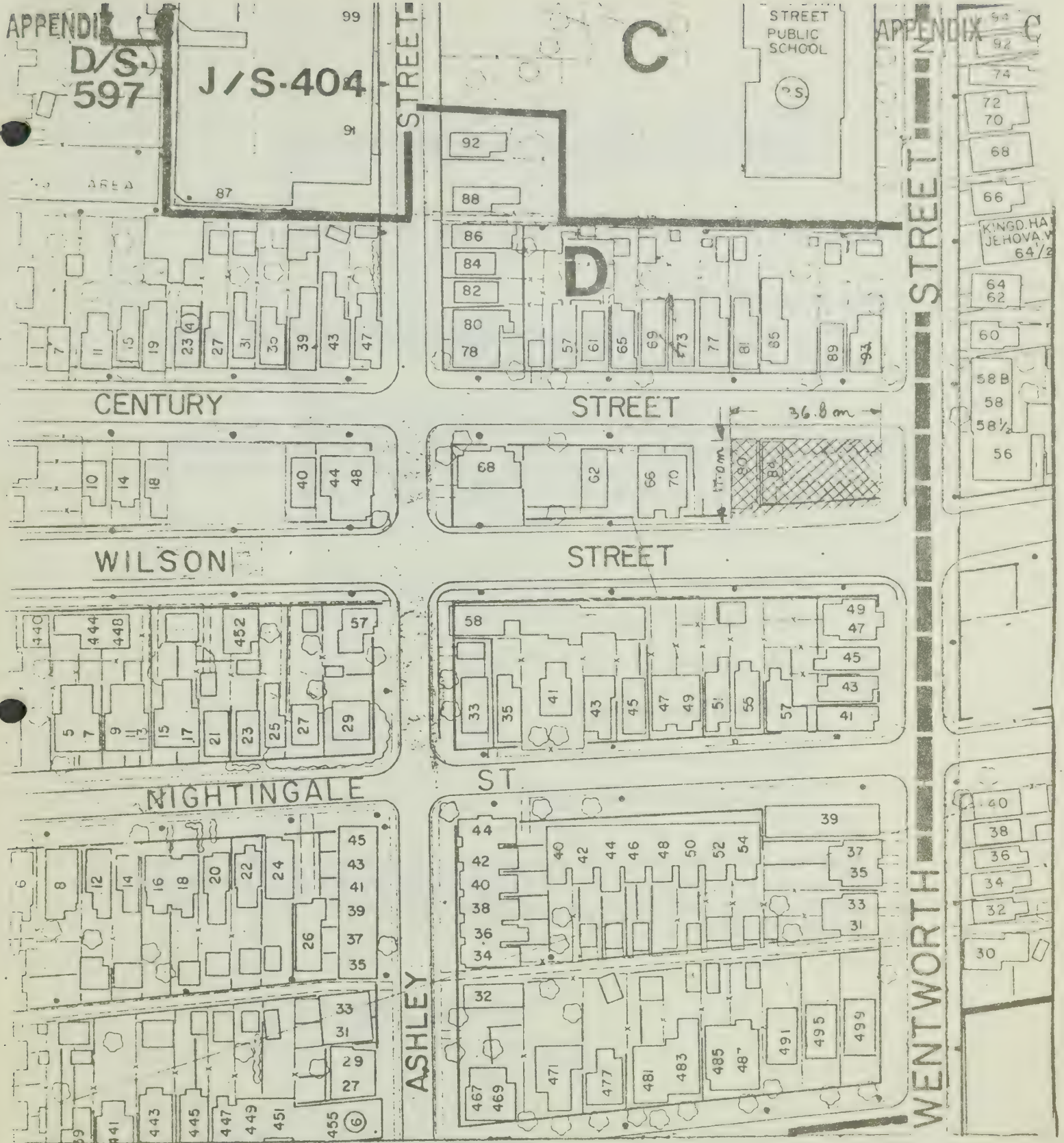


LEGEND



Lands for which a change in zoning from "D" (Urban Protected Residential One and Two Family Dwellings, etc.) District to "G-3" (Parking Lots) District is proposed.





REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its EIGHTH Report for 1981 and respectfully recommends:

1. That the Building Commissioner be authorized to issue demolition permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:-

371 Beach Boulevard

540 Wentworth Street North

153 East 24th Street

1507 Main Street East

93 Beland Avenue North

206 Jackson Street East

105 Barnesdale Avenue North

2. That the City Solicitor be authorized and directed to amend By-law 75-55 by replacing Schedule "A" to Part 2 of the By-law with the attached Schedule 1, and By-law 76-119 by replacing Schedule "A" of the By-law with the attached Schedule 2.

Respectfully submitted

Alderman W. McCulloch, Chairman
Planning and Development Committee

JDT:bg
February 3, 1981

SCHEDULE 1 (applicable to By-law 75-55)

Schedule "A" to

Part 2 - Administration

respecting

- A. Where the application is in respect of any work a fee shall be paid as follows:
1. If the cost of work is \$100.00 or less No Charge
 2. If the cost of work is greater than \$100.00 but not more than \$500.00 \$ 8.00
 3. If the cost of work is greater than \$500.00, an initial fee of \$8.00 and in addition for every \$1,000.00 or part thereof of the cost of work \$ 8.00
- B. Where the application is for a Zoning Verification Certificate under the Zoning By-law in respect of one and two family residential occupancies, a fee shall be paid in the amount of \$15.00
- C. Where the application is for a Certificate other than that referred to in paragraph B above, a fee shall be paid in the amount of \$20.00
- D. Where the application is for a Report respecting work in progress or compliance with the Building By-law or Zoning By-law \$25.00
- E. Hard Copies of Documents 8-1/2" x 11" \$ 1.00

SCHEDULE 2 (applicable to By-law 76-119),

SCHEDULE "A"

FEEs

CLASS OF PERMIT (Col. 1)	FEE (Col. 2)
1. Permit for the construction of a building or part thereof other than a permit referred to in paragraph 1 of Section 2.	
(a) Where the cost or valuation of the construction is \$100.00 or less NO FEE
(b) Where the cost or valuation of the construction is greater than \$100.00 but less than \$500.00 \$ 8.00
(c) Where the cost or valuation of the construction is greater than \$500.00 \$ 8.00 plus \$8.00 for each \$1,000.00 or part thereof up to and including \$15,000,000.00 <u>plus</u> \$4.00 per \$1,000.00 or part thereof for that portion above \$15,000,000.00 up to and including \$45,000,000.00 <u>plus</u> \$2.00 per \$1,000.00 or part thereof for that portion above \$45,000,000.00
2. Permit for the demolition of a building \$20.00 for each 3,000 cubic metres of demolition or part thereof.
3. Permit to authorize the occupancy of a building or part thereof prior to completion:	
(a) first inspection NIL
(b) each inspection after the first inspection \$25.00

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its
FOURTH Report for 1981 and respectfully recommends:-

REGIONAL ENGINEERING

1. That the application of the owners of 189 Park Row South
to permit:

- i) A proposed exterior door to swing out and over the
road allowance of Park Row by a maximum of 92 cm
(3 feet);
- ii) two (2) proposed railings to encroach onto the road
allowance of Park Row by a maximum of 92 cm (3 feet)

be approved during the pleasure of Council, provided:

- a) That the owners prepare an agreement, satisfactory
to the City Solicitor to indemnify and save the City
harmless from all actions, causes of action, interest,
claims, demands, costs, damages, expenses and loss.
- b) That an annual fee of \$20.00 be set for this privilege
which fee shall be due and payable to the Corporation
30 days from the date of this resolution, in addition
to the \$25.00 annual fee to be charged for encroach-
ment insurance.

2. That the application of the owners of 93 Alpine Avenue
to retain:

- i) An inadvertent porch encroachment onto the road allow-
ance of Alpine Avenue by a maximum of 1.2 metres
(3.8 feet) for an approximate distance of 3.8 metres
(12.4 feet);
- ii) an inadvertent stair encroachment further onto the
road allowance of Alpine Avenue by a maximum of 1.5
metres (4.8 feet) for an approximate distance of 1.2
metres (4 feet);
- iii) an inadvertent roof overhang onto the road allowance
of Alpine Avenue by a maximum of 1.5 metres (4.8 feet)
for an approximate distance of 6.3 metres (20.8 feet);

be approved during the pleasure of Council, provided:

Regional Engineering Continued...

- a) That the owners prepare an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- b) That an annual fee of \$10.00 be set for this privilege which fee shall be due and payable to the Corporation 30 days from the date of this resolution, in addition to the \$25.00 annual fee to be charged for encroachment insurance.

It is further recommended that Section 7 of the THIRD Report of the Transport and Environment Committee which was adopted by City Council at its meeting held January 27, 1981, be rescinded.

3. Whereas agreements were entered into between the owners and lessee of 1 Duke Street in the City of Hamilton being an agreement dated 67 07 06 between Ruth M. Waugh and the City of Hamilton and an agreement dated 79 10 31 and registered as Instrument No. 157473 C.D. and whereas these agreements are vague in description of associated works, it is therefore recommended:

That the said agreements be superceded by a comprehensive agreement to permit, during the pleasure of Council, the use of the road allowance of Duke Street for the purposes of operating an outdoor cafe which will encroach onto the road allowance of Duke Street be a maximum of 3.1 m (12.8 feet) for an approximate distance of 15.7 m (51.4 feet) and to erect and/or maintain the following patio works within that area:

- i) paving stones to form a patio
- ii) stone dry wall approximately 38 cm (1.3 feet) high around the perimeter of the patio
- iii) two planters on the patio
- iv) fabric canopy with associated metal support structure over the patio
- v) a wrought iron fence around the perimeter of the patio, height to be governed by the applicable zoning by-law

provided that:

Regional Engineering Continued...

- a) The owner and lessee prepare this said comprehensive agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - b) That an annual fee of \$130.00 be set for this privilege which fee shall be due and payable on October 29 of each year, in addition to the applicant providing public liability insurance in the amount of \$1,000,000.00.
4. Whereas Item 3 of the FIRST Report of the Transport and Environment Committee adopted by City Council on 80 12 09 authorized the City to acquire the lands necessary to establish Kingfisher Drive and also authorized the Region to construct the curbs, sidewalks and finished roadway at this location, on behalf of the City and whereas in order to construct the proposed roadway in the desired location, it is necessary to acquire a portion of the lands of No. 363 Limeridge Road at an approximate cost of \$8,500.00, it is therefore recommended:
- i) That the Regional Commissioner of Engineering be authorized to acquire the necessary lands.
 - ii) That the land acquisition be charged to the 1981 Local Improvement Programme (Land and Construction)
 - iii) That the Regional Commissioner of Engineering be authorized on completion of the necessary documents to advertise this project pursuant to The Municipal Act and to prepare the necessary roadway alteration By-law.

REAL ESTATE

5. Whereas Item 14 of the SECOND Report of the Transport and Environment Committee was adopted by City Council at its meeting of January 13, 1981, thereby granting permission to the owner of 174 Canada Street to retain an inadvertent encroachment of a porch onto the road allowance of Canada Street by a maximum of 2.1 m (6.8 feet) for an approximate distance of 4.7 m (15.3 feet), it is therefore recommended that a fee of \$10.00 per annum be charged for this privilege plus the \$25.00 encroachment insurance fee.

6. Whereas Item 15 of the SECOND Report of the Transport and Environment Committee was adopted by City Council at its meeting of January 13, 1981, thereby granting permission to the owner of 389 Jackson Street West, to retain:

- i) an inadvertent encroachment of a building on the road allowance of Poulette Street by a maximum of 41 cm (1.4 feet) for an approximate distance of 13.3 m (43.5 feet)
- ii) a porch encroachment on the road allowance of Jackson Street by a maximum of 11 cm (0.4 feet) for an approximate distance of 3.2 m (10.5 feet);

It is therefore recommended that a fee of \$20.00 per annum be charged for this privilege plus the \$25.00 encroachment insurance fee.

7. Whereas Item 12 of the SECOND Report of the Transport and Environment Committee was adopted by City Council at its meeting of January 13, 1981, thereby granting permission to the owner of 180 Walnut Street South to retain:

- i) the existing landscaping which encroaches onto the road allowance of Walnut Street by a maximum of 3.3 m (11 feet) for an approximate distance of 10.1 m (33 feet)
- ii) the existing landscaping which encroaches onto the road allowance of Forest Avenue by a maximum of 4.0 m (13 feet) for an approximate distance of 20.1 m (66 feet);

It is therefore recommended that a fee of \$10.00 per annum plus taxes be charged for this privilege plus the \$25.00 encroachment insurance fee.

8. Whereas Item 13 of the SECOND Report of the Transport and Environment Committee was adopted by City Council at its meeting of January 13, 1981, thereby granting permission to the owner of 176 Canada Street to retain an inadvertent encroachment of a porch onto the road allowance of Canada Street by a maximum of 2.1 m (6.8 feet) for an approximate distance of 4.7 m (15.3 feet);

It is therefore recommended that a fee of \$10.00 per annum be charged for this privilege plus the \$25.00 encroachment insurance fee.

9. Whereas Item 17 of the SECOND Report of the Transport and Environment Committee was adopted by City Council at its meeting of January 13, 1981, thereby granting permission to the owner of 71 Burlington Street West to retain:

- i) an inadvertent porch encroachment on the road allowance of Burlington Street by 23 cm (0.8 feet) for an approximate distance of 4.9 m (16 feet)
- ii) a further inadvertent stair encroachment onto the road allowance of Burlington Street by a maximum of 0.9 m (3 feet) for an approximate distance of 0.9 m (3 feet);

It is therefore recommended that a fee of \$10.00 per annum be charged for this privilege plus the \$25.00 encroachment insurance fee.

10. Whereas Item 16 of the SECOND Report of the Transport and Environment Committee was adopted by City Council at its meeting of January 13, 1981, thereby granting permission to Stelco Inc., to install and maintain two 600 volt aerial services across Queen Street North, approximately 45.8 m (150 feet) north of Barton Street West at a minimum height of 5.5 m (18 feet);

It is therefore recommended that a fee of \$50.00 per annum be charged for this privilege plus the \$25.00 encroachment insurance fee.

11. That the request made by Mr. Joe Agro to have the City underwrite the additional costs over and above the estimated cost for the development of the former City lands at York and Queen be denied.

NOTE: The members of the Committee based their recommendation on the following considerations:

- i) The City makes no warranties in respect of soil conditions in its documents of purchase and sale, and a precedent of this nature could evoke similiar claims from past and future developers on York Street or elsewhere.
- ii) Although the development costs were increased, the property has as a result an additional element of value to the benefit of the owner.

TRAFFIC

12. That Schedule 10 (Stops at Intersections) of By-law No. 66-100 To Regulate Traffic be further amended by adding thereto the following item, namely:-

"Lionsgate	Eastbound	Magnolia"
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13. That Schedule 26 (No Parking Areas) be amended by adding to Section A (No Parking Anytime) the following item, namely:-

"Empress	North	Upper James to 145 ft. easterly"
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14. That Schedule 26B (No Parking Areas) be amended by adding thereto the following items, namely:-

"Jackson Street East	North	Ferguson To Wellington	2nd Tues. each month 1 p.m. to 4 p.m.
Hunter Street East	South	Walnut to Wellington	2nd Fri. each month 1 p.m. to 4 p.m.
Grove	South	Liberty to Wellington	2nd Wed. each month 1 p.m. to 4 p.m.
Grange	North	Liberty to Ford	2nd Fri. each month 8 a.m. to 12 noon
Augusta	North	James to East End	2nd Tues. each month 1 p.m. to 4 p.m.
Augusta	South	John to East End	2nd Wed. each month 1 p.m. to 4 p.m.
Forest	North	John to East End	2nd Thurs. each month 1 p.m. to 4 p.m.
Forest	South	James to East End	2nd Fri. each month 1 p.m. to 4 p.m.
St. Joseph's Drive	North	John to East End	2nd Tues. each month 1 p.m. to 4 p.m.
St. Joseph's Drive	South	John to East End	2nd Wed. each month 1 p.m. to 4 p.m.
Rockwood Place	South	End to End	2nd Wed. each month 1 p.m. to 4 p.m.

Traffic Continued...

Louisa Avenue	North	Mountwood to John	2nd Thurs. each month 1 p.m. to 4 p.m.
Kingsway Drive	South	John to Arkledun	2nd Wed. each month 8 a.m. to 12 noon
Patrick	South	End to End	2nd Fri. each month 1 p.m. to 4 p.m.
Foster	North	End to End	2nd Thurs. each month 1 p.m. to 4 p.m.
Baillie	West	Augustato North End	2nd Tues. each month 8 a.m. to 12 noon
Walnut	West	Hunter to South End	2nd Tues. each month 8 a.m. to 12 noon
Walnut	East	Charlton to South End	2nd Wed. each month 8 a.m. to 12 noon
Ferguson	East	Jackson to South End	2nd Fri. each month 8 a.m. to 12 noon
Ferguson	West	T.H. & B. to Forest	2nd Thurs. each month 8 a.m. to 12 noon
Spring	East	Main to Hunter	2nd Fri. each month 1 p.m. to 4 p.m.
Mountwood	East	St. Joseph's to South End	2nd Wed. each month 8 a.m. to 12 noon
John	West	Arkledun to South End	2nd Thurs. each month 8 a.m. to 12 noon
John	East	Arkledun to South End	2nd Fri. each month 8 a.m. to 12 noon"

15. That Schedule 29 (No Stopping Areas) be amended by adding to Section A (No Stopping Anytime) the following item, namely:-

"Sunshine Court North Garth to Easterly End."

16. That the application of Joan Pomerantz, 533 King Street East to use a portion of Tisdale Street North for parking purposes be approved during the pleasure of City Council provided:-

Traffic Continued...

- (i) That the owner complies with the requirements as set out in the policy respecting using a portion of the road allowance for parking purposes.
- (ii) That the approach and parking area be constructed in accordance with the submitted plan at the owner's expense.
- (iii) That the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (iv) That the applicant pay the annual fee as established by City Council plus taxes, in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.

17. That the application of Master Auto Repair, 61 Mary Street to use a portion of Mary Street for parking purposes be approved during the pleasure of City Council provided:-

- (i) That the owner complies with the requirements as set out in the policy respecting using a portion of the road allowance for parking purposes.
- (ii) That the approach and parking area be constructed in accordance with the submitted plan at the owner's expense.
- (iii) That the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (iv) That the applicant pay the annual fee as established by City Council plus taxes, in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.

18. That the application of China Tavern, 1123 Main Street East to use a portion of Rosslyn Avenue for parking purposes be approved during the pleasure of City Council provided:-

- (i) That the owner complies with the requirements as set out in the policy respecting using a portion of the road allowance for parking purposes.
- (ii) That the approach and parking area be constructed in accordance with the submitted plan at the owner's expense.

- (iii) That the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (iv) That the applicant pay the annual fee as established by City Council plus taxes, in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.

19. That the application of Lily's Shoppe, 909-911 Barton Street to use a portion of Avondale Avenue for parking purposes be approved during the pleasure of City Council provided:-

- (i) That the owner complies with the requirements as set out in the policy respecting using a portion of the road allowance for parking purposes.
- (ii) That the approach and parking area be constructed in accordance with the submitted plan at the owner's expense.
- (iii) That the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (iv) That the applicant pay the annual fee as established by City Council plus taxes, in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.

MISCELLANEOUS

20. Whereas it has been determined that a Vehicle Maintenance and Facility Study would greatly facilitate operations at the Central Services Garage, it is therefore recommended that the City participate in a joint Vehicle Maintenance and Facility Study with the Region at a cost to the City of \$20,000.00.

It is further recommended that the Finance Department recommend the method of financing.

BY-LAWS

21. That leave be granted to introduce the following bills:-
- (a) Bill No. E13 - By-law No. 78-94 respecting:
Municipal Weed Inspectors
 - (b) Bill No. E14 - By-law to widen Brucedale Avenue,
north side, west of East 23rd Street
 - (c) Bill No. E15 - By-law to widen an alleyway from
East 22nd Street to East 23rd Street
south of Concession Street
 - (d) Bill No. E16 - By-law to widen Cannon Street at
the south-east corner of Gage Avenue
 - (e) Bill No. E17 - To amend by-law No. 66-100 To Regulate
Traffic
 - (f) Bill No. E18 - To amend by-law No. 66-100 To Regulate
Traffic

Respectfully submitted,

ALDERMAN V. AGRO, Acting Chairman

R.C. Prowse, Secretary
February 2, 1981

MEETING OF CITY COUNCIL

February 24, 1981

A G E N D A

2nd FL

- A Finance Committee
- B Legislation Committee
- C Parks and Recreation Committee
- D Planning and Development Committee
- E Transport and Environment Committee
- F Personnel Committee

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:-

The Finance Committee presents its FIFTH Report and respectfully recommends:-

1. City Council at its meeting held February 12, 1980, in adopting subsection (c) of Section 20 of the Sixth Report of the Board of Control, approved of a 15% holdback to be retained for a period of forty-five (45) days after completion for contracts for construction and demolition work valued at \$50,000.00 or more. In order to clarify the policy respecting holdbacks, it is recommended:-

- (a) That the old ninety (90) day holdback procedure continue to apply for those contracts entered into before the new forty-five (45) day holdback policy was adopted by City Council on February 12, 1980 and,
- (b) That the policy of holdbacks also apply to the fees of architects and consulting engineers for construction and demolition work valued at \$50,000.00 or more.

2. Approval of the following policy respecting the issuance of purchase orders.

That all purchases be in accordance with the budget approved by City Council, and subject to the following levels of approval:

(a) Orders Up to \$5,000.00 Value:

- (i) Where possible, three quotations be obtained.
- (ii) Be subject to Department Head approval.
- (iii) Be placed by the Director of Purchases.

(b) Orders \$5,000.00 to \$10,000.00 Value & Construction and Demolition Contracts Exceeding \$25,000.00 Value:

- (i) Require three sealed quotations to be opened at a specific time in the presence of the Director of Purchases or his designate.

- (ii) Be subject to Department and Chief Administrative Officer approval.
- (iii) If necessary in an emergency to maintain the continuous operation of an essential service, be placed on approval of the Director without the normal quotation procedure, and subject to confirming approval by two of the following:

- 1) The Mayor.
- 2) The Chief Administrative Officer.
- 3) The appropriate Committee Chairman.

(c) Regular Orders Over \$10,000.00 Value and Construction and Demolition Contracts Exceeding \$25,000.00 Value:

- (i) Be subject to tender call.
- (ii) Be subject to Appropriate Committee recommendations and City Council approval.
- (iii) If necessary, in an emergency to maintain continuous operation of essential service be placed on approval of two of the following:
 - 1) The Mayor.
 - 2) The Chief Administrative Officer.
 - 3) The Appropriate Committee Chairman.

3. Approval of the awarding of the following contracts:-

- (1) THE OFFICE PEOPLE, Hamilton, Ontario.

Servicing maintenance of Typewriters, Adding Machines and
Calculators for the year 1981.....\$10,402.74

Note: Lowest of 4 acceptable tenders.

(2) FIRESTONE CANADA LTD., Hamilton, Ontario.

City Garage

A renewal agreement with Firestone Canada Ltd., for a one year period from January 1st, 1981 to December 31st, 1981, covering tire service and tire maintenance for all vehicles owned or serviced by the Corporation of the City of Hamilton. Payments under the Agreement shall be on a monthly basis at the following rate:

Monthly Rate.....\$2,889.00

Insurance Agreement.....NOT TO EXCEED \$400.00 PER ANNUM.

Extension of existing contract at a 10% increase.

(3) OTIS ELEVATOR CO. LTD., Hamilton, Ontario.

Property Department

To provide elevator servicing for 1981 as follows:

City Hall at \$2,047.73 per month.....\$24,572.76

Provincial Judges Court at \$102.21 per month..... 1,202.52

\$25,775.28

Extension of existing contract at an 8.7% increase.

4. That the Regional Municipality of Hamilton-Wentworth be requested to issue on behalf of the City of Hamilton, debentures in an amount not to exceed \$11,500,000.00 relating to City of Hamilton projects in accordance with the following list referred to as Schedule "A".

That the City Treasurer with the approval of the Finance Committee may determine the amount of debentures to be issued depending upon market conditions.

City of Hamilton
Treasury1981 PROPOSED DEBENTURE SALE

SCHEDULE "A"

Capital Budget Page No.	Capital Budget Account No.	Purpose	City of Hamilton By-law Number	Terms in Years	Ontario Municipal Board Number	Date	Debentures to be Sold at this Time
<u>Municipal</u>							
<u>Recreation and Cultural Services</u>							
<u>Hamilton Public Library Board</u>							
23	23400A	Main Hamilton Public Library - Design Fees	81-41	20	E751488	July 31, 1980	100,000
23	23400B	Main Hamilton Public Library - Construction	77-155 78-16 78-263 79-31 79-312 81-41 80-050	20	E762270	April 4, 1977 Dec. 29, 1977 Sept. 19, 1978 Dec. 13, 1978 Oct. 11, 1979 July 31, 1980 Jan. 31, 1980	4,500,000
23	23400C	Main Hamilton Public Library - Shelving		20	E791685		900,000
<u>Hamilton Place</u>							
25	A34291	Hamilton Place Convention Centre - Construction	75-267 78-159	20	E75443	Sept. 5, 1975 May 16, 1978	4,500,000
<u>Planning and Development</u>							
<u>Farmers' Market</u>							
29	26407A	The Farmers' Market - Construction	77-156 78-17 78-264 78-32 79-311 81-41	20	E762269	April 4, 1977 Dec. 29, 1977 Sept. 19, 1978 Dec. 13, 1978 Oct. 11, 1979 July 31, 1980	925,000
<u>Municipal Services - Owners' Share</u>							
<u>Local Improvements</u>							
33	80000	1976-1979 Closings - Curbs, Walks, Roadways and Alleyways	Various	15	Various	Various	575,000 11,500,000

February 9, 1981
BLH/ae

5. Approval of the request of the Hamilton Place Convention Centre that the sum of \$1,000,000.00 as provided for as part of Project No. 34291-A in the 1981 - 1985 Capital Budget be made available to the Hamilton Place Convention Centre for the purchase of equipment. It is further recommended that the financing of this expenditure be provided from the Capital Levy.
6. That the City Clerk, prior to the adoption of the 1981 Estimates, be authorized to utilize the facilities of Hamilton Place for Assessment Review Court Hearings in 1981 at an estimated cost of \$7,800.00 and that this expenditure be financed from the 1981 Estimates.

NOTE: For the information of the Members of City Council, Section 13 of the Assessment Review Court Act states in part that the municipality shall provide a suitable room and other necessary accommodations for the holding of the court. In prior years, private facilities were utilized for a portion of the hearings and the remainder were held at City Hall, however, it has become increasingly difficult to make City Hall facilities available. The estimated number of court sittings that will be required in 1981 is 120.

7. That the Director of Purchases, prior to the adoption of the 1981 Estimates, be authorized to place an order for the acquisition of sixty-seven (67) chairs for the City Hall cafeteria at an estimated cost of \$1,380.00 and that this expenditure be financed from the 1981 Current Estimates.
8. That the City Solicitor and the Claims Manager be responsible for all claims including the investigation, final disposition and the authorization of any payments or receipts necessary in respect thereto.
9. That the Council of the Corporation of the City of Hamilton endorse Section 6 of the Regional Finance Committee Report 2-81 approved by the Regional Council on January 20, 1981. This report endorses applications for loans under The Ontario Industrial Parks Programme as administered by the Ministry of Industry and Tourism for internal servicing of industrial parks within the area municipality of the City of Hamilton.

NOTE: This loan programme is designed to support municipal and private development initiatives in developing serviced industrial land. The City and Region can qualify under the eligibility criteria and it is to be noted that approved loans will extend over a fifteen (15) year period with interest forgiveness and partial deferment on principal re-payment. Endorsation of this report is recommended in accordance with the request of the Regional Municipality of Hamilton-Wentworth that the area municipalities of Ancaster, Glanbrook and Hamilton be requested to endorse the appropriate applications pertaining to their municipality.

10. In accordance with Section 389d of The Municipal Act, R.S.O. 1970, Chapter 284 which requires the Treasurer of the Municipality to submit to the Council, prior to February 28th each year, a statement of remuneration and expenses of Members of Council and members of other bodies in respect of certain services in the prior year submitted herewith is a statement of the Treasurer respecting remuneration and expenses paid to Members of Council and members of other bodies for the year 1980.

STATEMENT OF THE TREASURER

Remuneration and Expenses paid to Members of Council and
Members of Other Bodies, for the year 1980

(Prepared pursuant to By-law 79-60 approved by
City Council January 29, 1979, By-law 79-300 approved by
City Council October 30, 1979, and Section 389d of
The Municipal Act, R.S.O. 1979, Chapter 284)

1. Remuneration

(a) Members of Council

	<u>Net Salary *</u>
Agro, V.	\$ 20,208.33
Bethune, J.	20,208.33
Cowell, P.	958.33
Drage, P.	11,497.00
Edge, K.	11,494.00
Fisher, E.	10,532.66
Ford, P.	10,535.66
Gray, D.	11,497.00
Hinkley, B.	11,497.00
Lawrence, D.	11,491.00
Lombardo, F.	11,494.00
MacDonald, J.	11,497.00
MacDonald, J. A.	29,333.33
McCulloch, W.	11,500.00
McMeekin, T.	10,529.66
Merling, H.	11,494.00
Morrow, R.	15,911.30
Peterson, P.	11,497.00
Powell, W.	2,666.67
Stout, I.	958.33
Stowe, J.	10,541.66
Valeriano, P.	20,208.33
Wheeler, R.	<u>7,497.00</u>
	<u>\$275,047.59</u>

* One-third deemed to be "expenses" in accordance with Section 392 of The Municipal Act.

(b) Committee of Adjustment

<u>Member</u>	<u>Honorarium</u>
Ford, H. W.	\$ 1,500.00
Skofac, M.	1,500.00
Rocci, F.	2,000.00
Woods, L. G.	1,500.00
Young, C.	<u>1,500.00</u>
	<u>\$ 8,000.00</u>

STATEMENT OF THE TREASURER

1. Remuneration - Continued

(c) Licence Examining Board

<u>Member</u>	<u>Honorarium</u>
Allick, B. D.	\$ 500.00
Bradshaw, R. H.	500.00
Hewitt, C.	500.00
Hooker, G.	500.00
Korz, G.	500.00
Langdon, D.	500.00
MacLeod, D.	500.00
McGurk, A.	500.00
McManus, G.	500.00
Peacock, H.	500.00
Saunders, E.	500.00
Shade, W.	500.00
Walker, J.	100.00
Allaby, B.	100.00
Armstrong, D.	100.00
Duffie, R.	100.00
Greenall, E.	100.00
Harvie, W.	100.00
McNally, J.	100.00
	<u>\$ 7,100.00</u>

2. Expenses (Travelling - per diem, accommodation, etc., plus
"Local grant" to Mayor)

(a) Member of Council

	<u>Amount</u>
Agro, V.	\$ 1,762.34
Bethune, J.	1,424.95
Drage, P.	455.00
Edge, K.	1,075.53
Ford, P.	732.00
Hinkley, B.	755.76
Lawrence, D.	285.00
Lombardo, F.	1,108.52
MacDonald, J.	1,659.23
MacDonald, J. A. (\$3,718.38 Travelling; \$3,666.67 "Local grant")	7,385.05
McCulloch, W.	789.22
Merling, H.	916.08
Morrow, R.	683.20
Powell, W. ("Local grant")	333.33
Valeriano, P.	774.00
	<u>\$ 20,139.21</u>

(b) Parking Authority Appointee

O'Neal, K. W.	\$ 428.00
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(c) Public Library Appointees

Inglis, G.	\$ 211.70
Meiklejohn, A. F.	304.95
	<u>\$ 516.65</u>

(d) Committee of Adjustment

Ford, H. W.	\$ 359.35
Skofac, M.	365.00
Woods, L. G.	359.37

B

11. Section 1 of the Fifth Report of the Parks and Recreation Committee makes reference to the acquisition of land known as Phase Six of Lloyd D. Jackson Square from the Federal-Provincial-Municipal Partnership at an estimated cost of \$127,000.00.

The Finance Committee recommends that this expenditure be financed from the Reserve for Property Purchase Account No. 0280-2.

12. That the Hamilton Public Library Board be requested to pass the following resolution:-

- (a) "That the Hamilton Public Library Board agree to release all right and title it may have to the lands outlined in yellow, orange and blue on plan No. SS-938 Surveys to The Corporation of the City of Hamilton and that the appropriate officials be authorized to execute a quit claim deed of these lands to The Corporation of the City of Hamilton.";
- (b) That the City Solicitor be authorized and directed to prepare a Reference Plan indicating the lands to be quit claimed;
- (c) That subsequent to receiving the quit claim, the City Solicitor be authorized and directed to amend By-law No. 70-108 by deleting the reference designating the alley for library purposes.

NOTE: Members of City Council are advised that although title to the above lands is registered in the City, they are held in trust for the Hamilton Public Library Board and the passage of this resolution will enable the City of Hamilton to dispose of this property. Generally the property referred to is the former Main Library at 55 Main Street West, the parking lot at the northwest corner of MacNab and Jackson Streets and the alleyway at the rear of 55 Main Street West.

13. That leave be granted to introduce the following bill:-

- (a) Bill A-8, A By-Law to Authorize the Amendment of a Supplementary Agreement Under The Ontario Municipal Employees Retirement System Act.

RESPECTFULLY SUBMITTED,

ALDERMAN P. O. VALERIANO,
CHAIRMAN, FINANCE COMMITTEE.

R. M. Collier, Secretary,
February 19, 1981.

REPORT OF THE LEGISLATION COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its FIFTH Report and respectfully recommends:

GRANTS AND CIVIC HOSPITALITY

1. That a grant in the amount of \$300.00 be made to the Association of Ontario Boards of Health to assist in defraying expenses for a luncheon and tour of Hamilton as part of their Annual Conference to be held May 3-6, 1981. Estimated Attendance, 300 delegates.
2. That a grant in the amount of \$400.00 be made to the Department of Anaesthesia of McMaster Medical Centre to assist in financing a shuttle bus service between the Convention Centre and Hamilton Hotels as part of the annual meeting of Ontario Anaesthetists in September, 1981. Estimated Attendance, 200 delegates.
3. That a grant in the amount of \$300.00 be made to the Ontario Volunteer Committees of Art Museums to assist in defraying expenses in connection with a luncheon part of their Annual Conference to be held in the City of Hamilton from April 7-9, 1981. Estimated Attendance, 150 delegates.
4. That a grant in the amount of \$1,000.00 be made to the Canadian Library Association to assist in defraying expenses in connection with their Annual Conference to be held in the City of Hamilton from June 11-16, 1981. Estimated Attendance, 2000 delegates.
5. That a grant in the amount of \$300.00 be made to the Bricklayers and Masons Union No. 1, Ontario to assist in defraying expenses as part of their Annual Conference to be held in the City of Hamilton June 6-7, 1981. Estimated Attendance, 110 delegates.
6. That a grant in the amount of \$1,000.00 be made to the North Metro Chapter of Sweet Adelines to assist in defraying expenses as part of their Annual Convention to be held in the City of Hamilton from April 2-5, 1981. Estimated Attendance, 1500 delegates. In keeping with a commitment made by former Mayor MacDonald, it is recommended that a luncheon for approximately 25 of this group be sponsored by the City.

CITY HALL FACILITIES

7. That permission be granted to the Hamilton-Wentworth Lung Association to set up a display in the City Hall Foyer for viewing by the public.
8. That permission be granted to the United Croates of Canada to fly the Croatian Flag at City Hall on Friday, April 10, 1981 in recognition of the Croatian Independence Day.
9. That permission be granted to the Estonian Society of Hamilton to fly the Estonian Flag at City Hall on Tuesday, February 24, 1981 on the 63rd Anniversary of the Independence of Estonia.

RESOLUTIONS

10. (a) City of Brampton

"THAT WHEREAS there is an increasing demand for the enforcement of the Highway Traffic Act and

WHEREAS Quebec has adopted a policy recently to allow municipalities to keep a portion of fines collected to be used to offset the costs of issuing summonses

THEREFORE BE IT RESOLVED that the Province of Ontario be asked to examine their policy in this regard and to amend the legislation to allow a funding of further traffic enforcement from the revenues generated."

(b) Regional Municipality of Hamilton-Wentworth

"THAT the Attorney General for the Province of Ontario as well as the Minister of Justice for Canada be advised:

That the Regional Council for Hamilton-Wentworth is extremely concerned about the ever-increasing attacks on the members of the various Police forces of this country.

The laws of this country should be working not only to protect the lives of the citizens, but should also protect those who are hired to protect the citizens from the acts of criminals.

The constant concern that our courts are showing toward the welfare of the criminal at the expense of the welfare of the community as a whole, needs some readjustment.

We feel very strongly that those who carry firearms while taking part in a criminal act should be dealt with more severely when they are brought before the courts.

The penalty for carrying firearms should be written into our statute books imposing:

A sentence of not less than twenty (20) years in jail on anyone carrying a firearm while participating in a criminal act.

If a criminal shoots and kills a Policeman while taking part in a crime, the death penalty should be invoked and subject to no appeal to the Cabinet.

Copies of this resolution should be sent to all municipalities in Ontario with a request they endorse this resolution and they send copies of their endorsement to the Attorney General for the Province of Ontario and the Minister of Justice of Canada."

(c) Town of Rockland

"WHEREAS the Honourable Paul Cosgrove, Minister of Public Works, announced on November 12th, 1980, that he was unilaterally terminating the Community Services Contribution Program;

WHEREAS the Town of Rockland, together with numerous municipalities of the Province of Ontario will be affected by these federal government cuts;

WHEREAS a great number of water and sewer services projects will be delayed or abandoned following this decision;

THAT a letter be sent to the Honourable Paul Cosgrove, Minister of Public Works, requesting that he reconsider his decision of November 12th last, and that he reinstate the Community Services Contribution Program, and this retroactively to January 1st, 1981."

11. That the following resolutions be forwarded to the Federation of Canadian Municipalities for consideration at their Annual Conference to be held in Regina, Saskatchewan from June 7-11, 1981.

- I "WHEREAS, the Government of Canada instituted the Community Services Contribution Programme (C.S.C.P.) in recognition of the need for a long-term, permanent commitment to community and neighbourhood revitalization; and,

WHEREAS, the conservation of our non-renewable energy resources makes it paramount that all levels of Government continue, and indeed increase their commitment to the preservation of our older housing stock, and the general residential viability of our older, urban areas;

NOW THEREFORE IT IS RESOLVED:

- (i) That the Federation of Canadian Municipalities (F.C.M.) petition the Government of Canada and the Canada Mortgage and Housing Corporation (C.M.H.C.), to renew its past interest in, and concern for urban problems, and institute a system whereby they may make a long-term, moral and financial commitment to the needs of Canadian Municipalities;
- (ii) That the Provinces do no less than renew and maintain their past moral, and financial commitment to the now-defunct Community Services Contribution Programme (C.S.C.P.), and work with their constituent municipalities to develop programmes designed to address municipally-defined needs; and,
- (iii) That neither the Government of Canada/Canada Mortgage and Housing Corporation (C.M.H.C.), nor the Provinces limit the range of urban problems which may be addressed by cost-shared programmes but, rather, within the scope of generally-defined Federal and/or Provincial goals, municipalities be allowed to design and implement their own programmes so as to address their own unique needs."

II "WHEREAS, the Government of Canada instituted the Residential Rehabilitation Assistance Programme (R.R.A.P.), Nation-wide, in 1974, making available direct subsidized loans and grants to owners of property within Neighbourhood Improvement Programme (N.I.P.), and "Specially-Designated" Areas; and,

WHEREAS, the Programme was subsequently amended, in 1979, moving away from direct financing for landlord-owned residential units to the "privatization" of R.R.A.P. whereby private lending institutions are to provide financing, at current market rates; and,

WHEREAS, the Programme, with the involvement of private lending institutions to which reference is made in the preceding recital, is no longer viable, as private lenders have shown little, or no interest in financing housing rehabilitation pursuant to the Programme; and,

WHEREAS, the present interest rates and the requirement for Federal Rental Agreements presently make the Programme no longer viable for owners of multiple residential dwellings across Canada;

NOW THEREFORE IT IS RECOMMENDED:

- (i) That the Federation of Canadian Municipalities (F.C.M.) petition the Government of Canada and the Canada Mortgage and Housing Corporation (C.M.H.C.) to return to direct, subsidized financing of all loans made pursuant to the provisions of the Residential Rehabilitation Assistance Programme (R.R.A.P.)."

LEGISLATION

12. That the City Solicitor be authorized and directed to prepare an amendment to Licencing By-law No. 79-323 to provide for the licencing of establishments with relatively few pinball or other amusement machines (i.e. 1-8 machines).
13. That the Provincial Government be requested to amend The Municipal Act to provide Municipal Councils with the discretion to set the hours of licenced roller rinks and to exempt such rinks from the hours of operation when used by a charitable organization, and further that the Association of Municipalities of Ontario be requested to support this action.

NOTE: For the information of the Members of City Council, this action is necessary because the City Solicitor has advised the Legislation Committee that existing legislation does not authorize Municipal Councils to grant exemptions from the hours of operation of roller rinks to one class of organization as the hours of operation must apply to everyone. Without this enabling legislation, City Council is unable to grant the request of the Muscular Dystrophy Association to run a 24 hour fund raising skate-athon at a local roller rink.

14. That leave be granted to introduce the following bills:

- (a) Bill B-19 - By-law to amend Licencing By-law No. 79+323 Respecting: Pinball Machines and Amusement Machines.
- (b) Bill B-20 - By-law to Confirm Proceedings of the Council of the Corporation of the City of Hamilton at its Meeting Held on the 24th day of February, 1981.

OTHER

- 15. That permission be granted to the Hadassah-Wizo Organization of Hamilton to use the Hamilton Market on Monday, November 2, 1981 for the purpose of holding a charitable bazaar and that the Market Manager and the Director of Real Estate recommend a fee to be charged this organization for the use of this facility.
- 16. That the name of the Hamilton Place Convention Centre be changed to "Hamilton Convention Centre" as per a request from the Board of Directors of the Convention Centre and that the Finance Committee be requested to review the cost of this change with the Board.

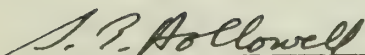
NOTE: For the information of the Members of City Council this change is being recommended by the Board because they feel that the original idea of having the entire square which houses the Art Gallery, Convention Centre, and Hamilton Place called "Hamilton Place" has not worked out and people associate only the theatre as "Hamilton Place" which causes confusion with respect to the Convention Centre.

- 17. Approval of payment of an invoice in the amount of \$3,216.90 to the Royal Connaught Hotel for a civic reception and dinner for the Tiger Cat Football Club which was held on November 24, 1980.
- 18. For the information of the Members of City Council the Legislation Committee has appointed the following citizen members to the Status of Women Sub-Committee for a term ending November 30, 1982.

Mr. Robert Ellison
Mrs. Pat Ford
Miss Mimma Musitano
Mrs. Evelyn Olejnik
Miss Irene Stayshyn
Mrs. Ollie Thomson
Mrs. Barbara Chambers
Mrs. Lorraine Morreale
Mrs. Beverly Robertson

- 19. That the Chairman or their nominees of the Legislation Committee, Finance Committee, Transport and Environment Committee, and the Mayor be authorized to attend the Annual Conference of the Federation of Canadian Municipalities to be held in Regina, Saskatchewan from June 7-11, 1981.

Respectfully submitted,



S.G. Hollowell, Secretary

February 17, 1981

SGH/sma

Alderman J. MacDonald, Chairman

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its FIFTH Report for 1981 and respectfully recommends:

1. City Council, at its meeting on September 30, 1980 in adopting the Eighteenth Report of the Parks and Recreation Committee, approved in principle proceeding with the construction of a Trade/Arena facility in the downtown area and a new stadium facility on the mountain, subject to appropriate cost sharing arrangements with the Federal and Provincial levels of government.

In adopting this, Council also authorized the Mayor to negotiate cost sharing arrangements, relative to these projects, with the Federal and Provincial levels of government.

With regard to the Trade/Arena aspects of this resolution the committee recommends:

- (a) That the city reaffirm its intention to, subject to appropriate financing, proceed with the construction of a Trade Centre and Exhibition Complex, at a minimum total value of \$16,000,000.00.
- (b) That the offer of the Government of Canada to contribute an amount of \$4,000,000.00 towards this project, as recently announced by the Honourable J. Munro, Minister of Indian Affairs and Northern Development, be accepted and that the Mayor and City Clerk be authorized to execute the necessary agreements in this regard.

(Note: This offer is subject to acceptance by the city and execution of the necessary agreement(s) by March 31, 1981 - End of fiscal year - Federal Government.)

- (c) That the city purchase from the Federal-Provincial-Municipal Partnership 126,671 square feet of land in Phase Six of the Lloyd D. Jackson Square, at a unit price of \$1.00 per square foot, for the site of a Trade Centre-Arena, the said lands are shown on Plan No. P-1379 Surveys and, further, that application be made to Canada Mortgage and Housing Corporation and the Ministry of Housing for approval of the sale of the said lands to the city, by the Partnership.

Note: The total area of Phase Six is 173,690 square feet. Included in this area are 47,019 square feet of former road allowances which leaves 126,671 square feet to be purchased from the Partnership.

- (d) That the Finance Committee be requested to recommend the method of financing the cost of the acquisition of this land, which is estimated to be \$127,000.00.

NOTE: The committee wishes to advise that an approach has been made to the Province of Ontario for cost sharing and an announcement is expected within the next few weeks.

The committee further wishes to advise that following the announcement by the Provincial Government, the Parks and Recreation Committee will review this matter and report to City Council.

NOTE: The committee also wishes to advise that it will be recommending to City Council that a citizens committee be established and a fund raising program put in place, to raise funds for this project and, further, that application will be made to Wintario for a grant equal to the amount raised by public subscription.

2. Approval of the acquisition of the property at 49 Elgin Street, measuring approximately 22 feet by 138 feet, from Ignazio and Guiseppina Gagliado, for the sum of \$23,000.00. Option to be accepted on or before March 13, 1981. Cash on closing of sale which shall be on or before April 10, 1981.

This property is required for parks purposes in the Beasley Neighbourhood. Sufficient funds are available in account 0408-C66046, Beasley Park Priority Account, to provide for this acquisition.

3. Approval of the acquisition of the property at 35 Elgin Street, measuring approximately 18 feet by 69 feet, from John A. Hand, for the sum of \$23,000.00. Option to be accepted on or before February 27, 1981. Cash on closing of sale which shall be on or before March 20, 1981.

This property is required for parks purposes in the Beasley Neighbourhood. Sufficient funds are available in account 0408-C66046, Beasley Park Priority Account, to provide for this acquisition.

4. (a) That the city enter into a lease renewal with C.C.O. Leasing Limited for the lease of 11,808 square feet, more or less, of vacant land for a period of one year commencing March 1, 1981 at a yearly rental of \$6,300.00 (including taxes) payable in equal monthly installments of \$525.00. (Beasley Park lands - east side of Elgin Street)
- (b) That the city enter into a lease agreement with Lockwood Motors Limited for the lease of 11,818 square feet, more or less, of vacant land for a period of one year commencing March 1, 1981 at a yearly rental of \$6,300.00 (including taxes) payable in equal monthly installments of \$525.00. (Beasley Park lands - east side of Elgin St.)

- (c) That the net proceeds from the rental of these properties be credited to the Reserve for Park Lands Account.
5. That the Hamilton and District Association of Disabled Skiers be granted use of the Chedoke Ski Course free of charge until the conclusion of the 1980-81 season, for the purpose of conducting free ski clinics for the physically handicapped.
6. That the application by Shintani Karate Federation to hold a Black Belt Tournament in the Ivor Wynne Stadium, July 18, 1981 between the hours of 12:00 noon and 11:30 p.m. be approved, subject to the following terms and conditions:
- (a) That the Operational Regulations - Schedule "A" be applicable, excluding Section B(4) which prohibits sale of tickets at the Stadium on the day of the event; and Section B(7) pertaining to the applicant paying a second deposit representing the estimated cost of storage,
 - (b) that the rental fee be \$5,000.00, and;
 - (c) that proof of \$3,000,000.00 Comprehensive General Liability Insurance Coverage for bodily injury and property damage (inclusive and aggregate) naming the Corporation of the City of Hamilton as the co-insured, be provided.
7. (a) That membership rates for the anticipated period from mid-February to September 7, 1981 for the Norman "Pinky" Lewis Recreation Complex be as follows:
- | | | | |
|-----------------------|---------|-----------------------|--------|
| Family | \$12.50 | Senior . . | \$1.00 |
| Adult | 7.50 | Disabled . | \$1.00 |
| Youth (under 18 yrs.) | 2.50 | (must be qualified | |
| Child (12 & under) . | 2.00 | for Disabled Pension) | |
- Non-resident - double the rate.
- (b) That "Introductory Night" passes be issued, allowing one (1) free visit, per person, as a means of publicizing and promoting the Recreation Centre activities.
8. City Council at its meeting September 9th, 1980 authorized renovations to Dundurn Castle to provide for expanded dining-room facilities, at a total estimated cost to the city of \$250,000.00 and, also approved acceptance of a proposal by Hillcrest Dairy Ltd., to operate these restaurant facilities. City Council did so on the understanding that the renovations would provide for an additional 1,470 square feet of restaurant facilities and, in addition to the city's expenditure of \$250,000.00, Hillcrest Dairy Ltd. would expend a minimum of \$100,000.00 to complete these renovations.

D

Subsequent to Council's approval, Hillcrest Dairy Ltd. made submissions for various changes to the proposed renovations, including the enlargement of the facility to incorporate the court yard area of Dundurn Castle. This court yard area to be enclosed by means of a glass dome.

Hillcrest Dairy Ltd. agreed to assume the full cost of the glass dome enclosure and other changes requested subsequent to City Council's approval.

As a result of various meetings with representatives of Hillcrest Dairy Ltd. staff and various members of the Parks and Recreation Committee, the following is submitted for consideration:

- (a) That the Mayor and City Clerk be authorized to execute an agreement satisfactory to the City Solicitor granting to Hillcrest Dairy Ltd. an exclusive licence to operate a restaurant dining lounge in Dundurn Castle, including the sale of certain Hillcrest bakery products and, to renovate and construct portions of Dundurn Castle (including the addition of a glass domed roof) on the following terms and conditions.
 - (i) All renovations and construction, decor and equipment, including the hiring of an architect to be done by Hillcrest, at its expense, provided that the city's consultants to provide structural, mechanical and electrical plans and specifications at the city's expense and Hillcrest to provide security in respect of the construction to the satisfaction of the City Solicitor.
 - (ii) The city to contribute to the cost of construction as work proceeds, to a maximum of \$250,000.00 including consultants fees.
 - (iii) Plans, specifications and cost estimates to be subject to prior approval of Hamilton Historical Board, the City Architect and Hillcrest Dairy Ltd. and, subject to approvals required under The Ontario Heritage Act, R. S. O., 1974 and By-Law No. 77-239. If no consensus reached, agreement to be terminated without reimbursement for cost incurred to such date by either party.
 - (iv) Operation of restaurant for ten (10) year period, to last day of full month:
 - (a) commencing 31 days after completion of construction or,
 - (b) commencing earlier (partial operation), if permitted by Managing Director, Dundurn Castle.

Hillcrest Dairy Ltd. to have five (5) year option to renew at negotiated rent and if no consensus, then the right of first refusal for three (3) months after the end of the initial term, on terms city is willing to accept from any other party.

(v) Exclusive licence granted excludes:

- (a) food and drink concession at Dundurn Park Pavilion,
- (b) city-operated concession at Stables, provided no cooked foods or sandwiches are sold, and;
- (c) special events.

It is understood that the city will not otherwise compete with Hillcrest Dairy Ltd. on Dundurn Castle, Dundurn Park or Colonel Harvey Park grounds.

- (vi) On termination, Hillcrest to be permitted to remove certain listed kitchen equipment and tables, chairs, etc., as well as light-operating equipment. Other fixtures and decor to remain.
- (vii) Decor, uniforms and day-to-day operations to be to the satisfaction of the Managing Director.
- (viii) Fee payable by Hillcrest Dairy Ltd. as per original proposal to be paid monthly, difference to make up percentage fee payable quarterly.
- (ix) Hillcrest Dairy Ltd. to operate restaurant every day, except New Years and Christmas Day - hours of operation at the discretion of Hillcrest, provided lunch and dinner provided.
- (x) Hillcrest to pay for all utilities, to be responsible generally for maintenance and repair of premises plus some common areas. Other common areas are city's responsibility.
- (xi) Hillcrest to provide insurance satisfactory to the City Solicitor provided that the City Clerk be authorized to arrange for insurance covering both the city and Hillcrest, for certain limited risks as may be determined or necessary, such as fire, tempest, etc. and Hillcrest to contribute to the

payment of such premiums and in such event, a formula be established to repay Hillcrest for its share of capital improvements, if the premises are destroyed by the risks in the policy and the decision is made not to rebuild Dundurn Castle.

- (xii) The Historical Board to determine the extent of use by Hillcrest respecting the common area and in particular the capsule tour waiting area.
- (b) Prior to the changes proposed by Hillcrest Dairy Ltd. the city expended an amount of \$11,925.73 on this project for consultants fees and equipment purchase. This amount was charged to the original \$250,000.00 appropriation approved by City Council in September, 1980.

The committee is of the opinion that this cost should not form part of the \$250,000.00 contribution towards the revised scheme and, therefore, respectfully recommends that the Finance Committee be requested to recommend the method of financing this cost.

- 9. (a) That a loan guarantee, in the amount of \$200,000.00 be made to the HAMILTON and SCOURGE Foundation, Inc. which has been established to the assist the city in connection with the HAMILTON SCOURGE project.

NOTE: For the information of the members of City Council, the cost of the underwater survey, planned for the summer of 1981 is approximately \$330,000.00 and a further amount of approximately \$70,000.00 will be required for operating costs and conservation study.

The committee is confident that the Foundation will, by the fall of 1981, raise the \$400,000.00 required, however, in order that the proposed survey can take place in the summer of 1981, a commitment must be given to Hydrospace Marine Services by mid-March, 1981. This is necessary in order that Hydrospace Marine Services can place orders for the specialized equipment required for this survey.

- (b) That the City Solicitor be authorized to have prepared and executed, the necessary agreement(s) between the city and the HAMILTON and SCOURGE Foundation, Inc. in order to permit the Foundation to undertake this survey on behalf of the City of Hamilton.
- (c) This agreement to be consistant with the existing agreement between the City of Hamilton and the Royal Ontario Museum.

Respectfully submitted,

February 20, 1981
J. J. Schatz, Secretary

ALDERMAN K. M. EDGE, CHAIRMAN
PARKS AND RECREATION COMMITTEE

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Planning and Development Committee presents its NINTH Report and respectfully recommends:-

1. That approval be given to Zoning Application 81-04, R. Calarco, F. and D. Adshead, N. and M. LaScala and W. Andrews, owners, and to City Initiative 81-F, to establish a change in zoning of lands located at Municipal Nos. 1067, 1073, 1081, 1085 and 1093 Rymal Road East shown on the plan marked Appendix "A" attached, on the following basis:

- 1) That the subject lands be re-zoned from "AA" (Agricultural) District and "B" (Suburban Agricultural and Residential) District to "L-mr-1" (Planned Development - Multiple Residential) District.
- ii) That notwithstanding Section 17B of By-law 6593, the existing dwelling may be altered, extended or enlarged and accessory buildings may be erected in accordance with Section 9 of By-law 6593.
- iii) That the Amending By-law be added to Section 19(B) of the Zoning By-law as Schedule S-736 and that the subject lands on Zoning District Map E-49D be notated S-736.
- iv) That the City Solicitor be authorized and directed to prepare a By-law to amend Zoning By-law 6593 and Zoning District Map E-49D and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The by-law will provide for a change in zoning from "AA" (Agricultural) District and "B" (Suburban Agricultural and Residential, etc.) District to "L-mr-1" (Planned Development - Multiple Residential Uses) District for properties located at Nos. 1067, 1073, 1081, 1085 and 1093 Rymal Road East, as shown on Zoning District Map E-49D, to establish a holding zone for future multiple residential development.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Planning and Development Committee presents its NINTH Report and respectfully recommends:-

1. That approval be given to Zoning Application 81-04, R. Calarco, F. and D. Adshead, N. and M. LaScala and W. Andrews, owners, and to City Initiative 81-F, to establish a change in zoning of lands located at Municipal Nos. 1067, 1073, 1081, 1085 and 1093 Rymal Road East shown on the plan marked Appendix "A" attached, on the following basis:
 - i) That the subject lands be re-zoned from "AA" (Agricultural) District and "B" (Suburban Agricultural and Residential) District to "L-mr-1" (Planned Development - Multiple Residential) District.
 - ii) That notwithstanding Section 17B of By-law 6593, the existing dwelling may be altered, extended or enlarged and accessory buildings may be erected in accordance with Section 9 of By-law 6593.
 - iii) That the Amending By-law be added to Section 19(B) of the Zoning By-law as Schedule S-736 and that the subject lands on Zoning District Map E-49D be notated S-736.
 - iv) That the City Solicitor be authorized and directed to prepare a By-law to amend Zoning By-law 6593 and Zoning District Map E-49D and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
 - v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The by-law will provide for a change in zoning from "AA" (Agricultural) District and "B" (Suburban Agricultural and Residential, etc.) District to "L-mr-1" (Planned Development - Multiple Residential Uses) District for properties located at Nos. 1067, 1073, 1081, 1085 and 1093 Rymal Road East, as shown on Zoning District Map E-49D, to establish a holding zone for future multiple residential development.

2. That approval be given to Zoning Application 81-03, Corad Developments Ltd. Owner, for a modification to the zoning regulations applicable to land on the east side of the proposed extension of Gafney Drive, north of Stone Church Road West, as shown on the plan marked Appendix "B" attached, on the following basis:

- i) That the "D" (Urban Protected Residential - One and Two Family Dwellings etc.) District Regulations to the subject land be modified so as to permit the following variances and restrictions:
 - a) That notwithstanding Section 10(3)(ii) of By-law 6593, no side yard shall be required along one side of each lot, except that a minimum side yard of 1.2 metres shall be provided and maintained along a flankage side abutting a street and along any side of a lot abutting lands which are not part of the subject lands,
 - b) That notwithstanding Section 10(4) of By-law 6593, a lot for a single family dwelling shall have a minimum width of 9.00 metres and a minimum lot area of 278 square metres,
 - c) That notwithstanding Section 10(1)(iii) of By-law 6593, development of townhouses shall not be a permitted use.
- ii) That the amending By-law be added to Section 19(B) of the Zoning By-law as Schedule S-737 and that the subject land on Zoning District Map W-27C be notated S-737.
- iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law 6593 and Zoning District Map W-27C and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The purpose of the by-law is to amend the established "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District provisions to permit semi-detached dwellings in accordance with "D" District provisions or zero lot line single family detached dwellings on lots having a minimum lot frontage of 9 metres (30 feet), a minimum lot area of 278 square metres (3,000 square feet) and no side yard on one side only.

This by-law applies to vacant lands located on the north side of Stone Church Road East, and east of Upper Paradise Road.

3. That Zoning Application 81-02 (Albert Bisci and Peter Tessaro, owners) requesting a change in zoning from "G3" (Public Parking Lots) District to "H" (Commercial) District to permit a retail variety store use on lands located at Municipal No.163 Mohawk Road East be refused for the following reasons:-

- 1) the applicant has not submitted any new planning evidence in support of the requested application, considering that an identical application was not supported in 1976;
- 2) approval of the application will establish an undesirable precedent to permit the further extension of commercial zoning at this location to the detriment of the residential area.

4. That approval be given to City Initiative 81-B to amend Zoning By-law 6593 by clarifying the wording of Section 18(3)(Supplementary Requirements and Modifications) of By-law 6593 relative to Automobile Service Stations "proposed to be established" as follows:-

- 1) That By-law 6593 be amended by deleting the words "proposed to be" where they occur in the following sections of the By-law:
 - i) Section 18(3)(ivc),
 - ii) Section 18(3)(ivd), and
 - iii) Section 18(3)(ive).
- 2) That By-law 6593 be amended by deleting the word "stipulations" where it occurs in the following sections of the By-law and substituting therefor the word "regulations".
 - i) Section 18(3)(ivb),
 - ii) Section 18(3)(ivc),
 - iii) Section 18(3)(ivd), and
 - iv) Section 18(3)(ive).
- 3) That the City Solicitor be directed to prepare a By-law accordingly.

EXPLANATORY NOTE:

The purpose of the by-law will be to provide for an amendment to Zoning By-law No.6593, in order to clarify the wording and intent of Section 18(3)(ivc), Section 18(3)(ivd), and Section 18(3)(ive) pertaining to Additional Requirements for Automobile Service Stations and Other Public Garages on Land Adjoining Residential Districts.

In each of the above Sections, it is intended to remove the words "proposed to be", in order that existing By-law Regulations can be applied to Automobile Service Stations etc. which are established and not just to those proposed to be established.

5. That the Building Commissioner be authorized to issue demolition permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:-

11 Margaret Street	35 Elgin Street
373 Limeridge Road East	45 Elgin Street
379 Limeridge Road East	49 Elgin Street
948 Upper Wentworth Street	130, 130.1/2, 132 Park Street North
139 Hunter Street East	197 Picton Street East

6. That the City Solicitor be authorized to prepare the necessary agreements for the City of Hamilton to grant Bell Canada, for the sum of One Dollar (\$1.00) a temporary easement over lands owned by the City which are to form part of Upper Ottawa Street south of Rymal Road in the proposed Industrial Park, Hamilton Mountain Industrial Park No.3 for the purpose of installing underground services and equipment. Bell Canada will be subject to the same relocation cost policy that is standard for all utilities located on road allowances.

7. At its meeting held January 29, 1980 City Council in adopting Section 12 of the 5th Report of the Board of Control approved of the sale of vacant industrial land at 161 Lanark Street (Part 1, Plan SS-1428) containing 1.35 acres to Magic Pantry Foods Inc. for the sum of \$94,500.00.

Magic Pantry were to commence construction of a 25,000 square foot warehouse by August 29, 1980 and complete the building by August 29, 1981.

Magic Pantry Foods Inc. has advised the City that it will not be proceeding to construct the warehouse building. The conditions of the sale state that if the said building is not commenced or completed on the appropriate dates, then the City of Hamilton has the opportunity to repurchase the 1.35 acres free and clear of all charges, encumbrances, liens, claims or adverse interest whatsoever for the original sale price (\$94,500.00) without any interest less the deposit (\$9,450.00), the real estate commission paid (if any) by the City to a real estate agent, in this case the commission was \$4,725.00; less any arrears of realty taxes, penalties and interest owing to the City and finally without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said land. These conditions are in all industrial land sale documents in order to discourage land speculation.

That the City repurchase 161 Lanark Street from Magic Pantry Foods Inc. for the sum of \$80,325.00. Option to be accepted on or before February 27, 1981. Cash on closing of sale which shall be on or before March 27, 1981.

8. Approval of an agreement by the owner to accept compensation from Luigi Troisi and Lucia Troisi for the acquisition by the City of all interest in the real property known as Municipal Number 163 Bay Street North, more particularly described as part of Lot 1, Plan 95, having a frontage along the westerly limit

of Bay Street North of 22.75 feet, by a depth of 114 feet together with the dwelling erected thereon, for the total sum of \$39,735.00 as well as payment of legal fees in the amount of \$1,000.00 for negotiations and disbursements. Cash on closing of sale which shall be on or before February 27, 1981. Required for the proposed Park in Central Neighbourhood.

9. That the City of Hamilton grant a 10 foot temporary easement to Hendrikus Van De Kuyt and Cernelia Groenewegen, for the sum of \$1.00, over City-owned lands along the southern boundary of 1306 Upper Wellington Street in order to allow access to their rear lands south of the east-west Mountain Freeway. All costs of installing a gate along the 10 foot section of Upper Wellington Street are to be the responsibility of Hendrikus Van De Kuyt and Cernelia Groenewegen.

10. Approval of the following addition to a Contract previously approved by City Council:-

Pigott Construction Ltd. re: Hamilton Convention Centre for additional work required to provide electrical supervision of manually operated valves on the stand-pipe system in the total amount of \$5,251.00, in accordance with Change Order No.1083.

11. Approval of the list of applicants submitted herewith and authorization for the Department of Community Development to process grants and/or loans in an amount not to exceed \$7,500.00 with the actual amount of the grant or loan to be determined by an inspection of the property under the Property Standards By-law 74-74 and pursuant to the Housing Development Act, Regulation 688/74.

That the officials of the Corporation involved in this programme be authorized to take all action necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute, on behalf of the City, any documents required in connection with the Ontario Home Renewal Programme.

- | | |
|---|---------------------------------------|
| 1. F. Spezzano
20 Rangeview Court | 6. F. Petrovskis
156 Stroud Road |
| 2. A. Januska
40 Norfolk Street South | 7. V. Falusi
27 Newton Avenue |
| 3. J. Brown
18 Dalewood Avenue South | 8. M. Coleman
617 Dunn Avenue |
| 4. W. Yates
184 Cline Avenue North | 9. V. Bridge
190 Craigroyston Road |
| 5. A. Tucci
137 Lottridge Street | 10. N. Sloka
82 Buckingham Drive |
| 11. F. Brandemark
69 East Avenue South | |

12. Approval of the list of applicants submitted herewith and authorization for the Department of Community Development to process grants and/or loans in an amount not to exceed \$7,500.00 with the actual amount of the grant or loan to be determined by an inspection of the property under the Property Standards By-law 74-74 and pursuant to By-law 78-113.

That the officials of the Corporation involved in this programme be authorized to take all action necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute, on behalf of the City, any documents required in connection with the Hamilton Rehabilitation Programme

1. T. Ball
24 East 9th Street
2. R. Lewis
158 Prospect Street North
3. P. Carte
30 Picton Street West

13. That the following resolution be endorsed:-

WHEREAS the Government of Canada instituted the Community Services Contribution Programme (C.S.C.P.) in recognition of the need for a long-term permanent commitment to community and neighbourhood revitalization; and

WHEREAS the conservation of our non-renewable energy resources makes it paramount that all levels of Government continue, and indeed increase their commitment to the preservation of our older housing stock, and the general residential viability of older, urban areas;

NOW THEREFORE IT IS RECOMMENDED:

- (i) That the Council of the Corporation of The City of Hamilton petition the Government of Canada to renew its past interest in urban problems, and to institute a system whereby they may make a long-term, moral and financial commitment to the needs of Canadian municipalities;
- (ii) That the Province of Ontario do no less than maintain its past moral, and financial commitment to the now-defunct Community Services Contribution Programme, and work with municipalities to develop programmes designed to address municipally-defined needs; and
- (iii) That neither the Government of Canada, nor the Province of Ontario limit the range of urban problems which may be addressed by cost-shared programmes but, rather, within the scope of generally-

defined Federal and/or Provincial goals, municipalities be allowed to design and implement their own programmes so as to address their own programmes so as to address their own unique needs.

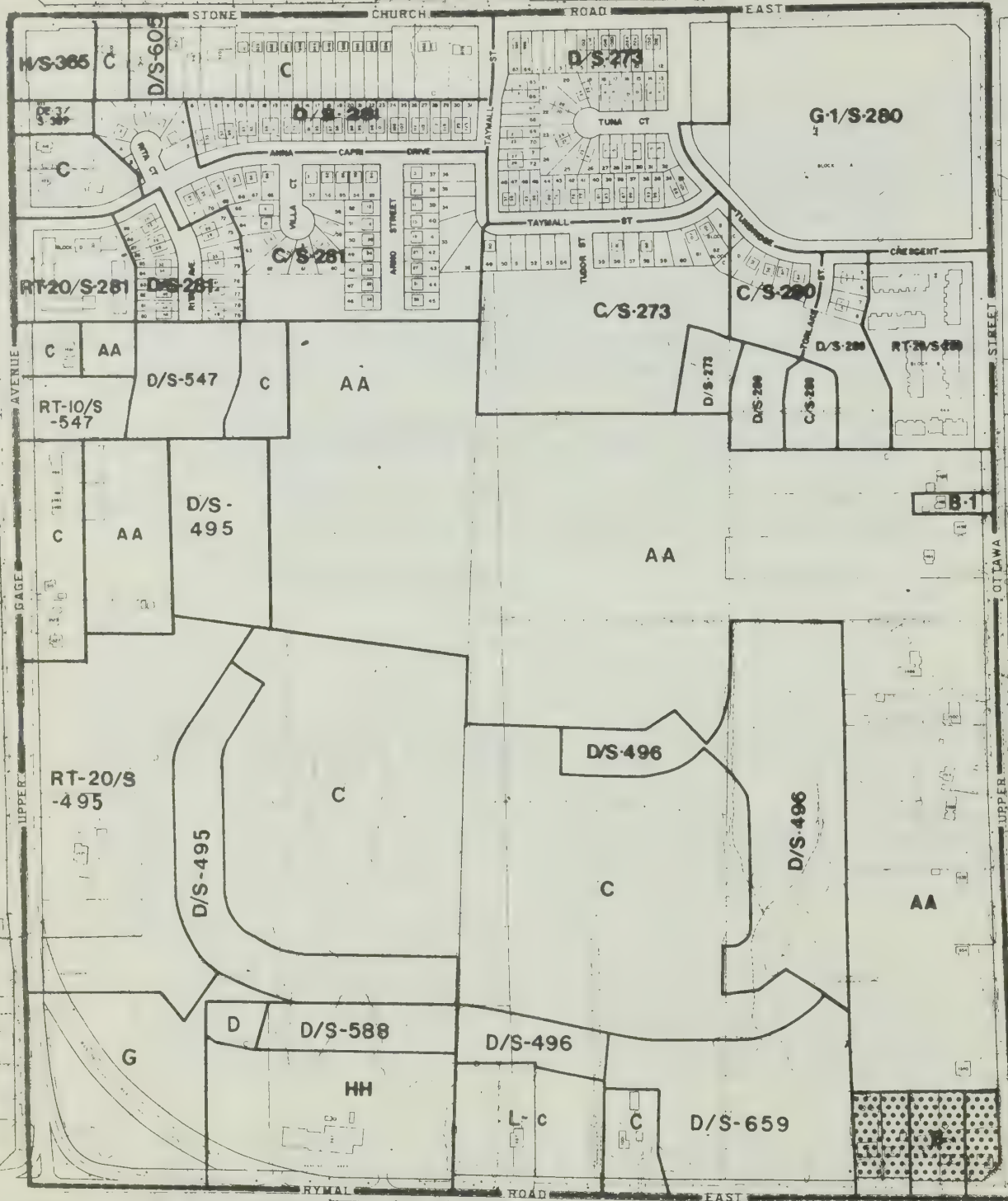
14. That leave be granted to introduce the following Bills:-

- (a) Bill No.D-31 - a By-law to adopt Official Plan Amendment No.355 respecting land located at Municipal Nos. 80 and 86 Park Street North
- (b) Bill No.D-32 - a By-law to amend Zoning By-law 6593 respecting land located at Municipal Nos. 80 and 86 Park Street North
- (c) Bill No.D-33 - a By-law to establish Site Plan Control respecting land located at Municipal Nos. 80 and 86 Park Street North

Respectfully submitted

Alderman W. McCulloch, Chairman
Planning and Development Committee

JDT:bg
February 19, 1981



LEGEND



Change in zoning from "AA" (Agricultural) District and "B" (Suburban Agriculture and Residential, etc.) District to "L-mr-1" (Planned Development - Multiple Residential) District.

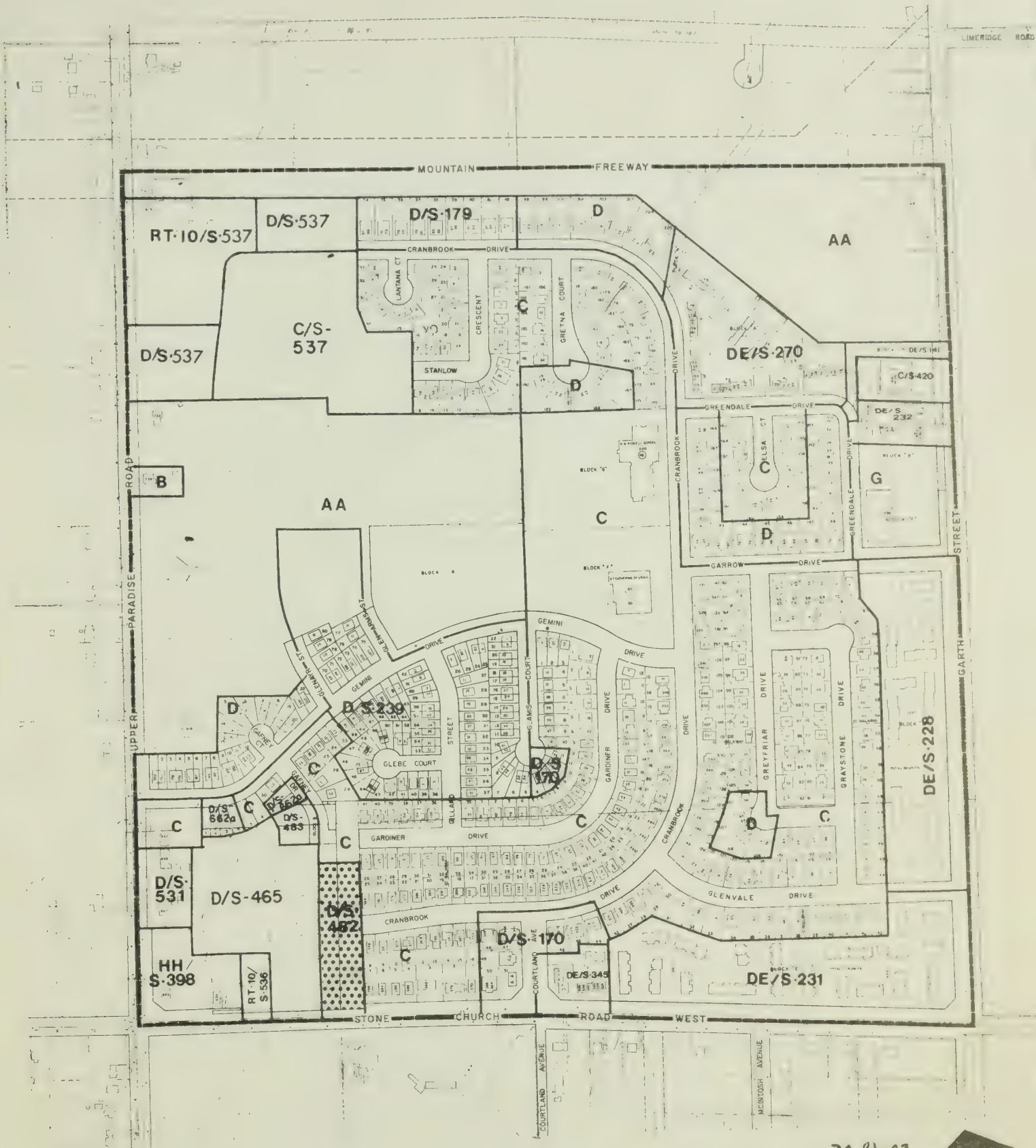
D8

APPENDIX "A"

2A 81-04
C.1. 81-F



APPENDIX "A"



24-81-03

LEGEND

Change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "D" Modified to permit single family development on lots having a minimum area of 278 square metres (3,000 square feet).

D9



APPENDIX "B"

APPENDIX "B"

E

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its FIFTH Report and respectfully recommends:

Airport

1. That effective July 1, 1981 the Ministry of Transport provide the Crash/Fire Protection at Hamilton Civic Airport.

Regional Engineering

2. That the application by Genstar Commercial Development Company to erect a free standing sign on the road allowance of Mall Road be approved provided that the applicant enter into the Standard Sign Encroachment Agreement with the City.
3. (i) That the application of the owner of 225 Locke Street South to retain an existing railway tie retaining wall encroachment onto the road allowance of Alexander Street by a maximum of 2.6 m (8.5 feet) for an approximate distance of 10.1 m (33.3 feet) be approved during the pleasure of Council provided:
 - (a) That the owner prepare an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs damages, expenses and loss.
 - (b) That an annual fee of \$10.00 be set for this privilege which fee shall be due and payable to the Corporation 30 days from the date of this resolution in addition to the \$25.00 annual fee to be charged the owner for encroachment insurance.
- (ii) That the application of the owners of 225 Locke Street South to retain an existing wood privacy fence onto the road allowance of Alexander Street be denied and that the Commissioner of Engineering be directed to order the removal of this fence from the road allowance under section 9(3) of the Streets By-law No. 9329.

Regional Engineering Continued...

4. (a) That the application to close Darlene Avenue from Luscombe Street southerly be denied.
- (b) That in order to alleviate the situation for immediate residents:
 - (i) The Commissioner of Streets Services be authorized to install a fence along both sides of Darlene Avenue according to the City of Hamilton Standards Specification RS-2005 at an estimated cost of \$3,600.00, said cost to be paid from account no. 0352-046105 (paths and walkways).
 - (ii) That the two (2) abutting owners be required to pay the cost of upgraded fencing over that specified if they so request a higher or otherwise different fence.
 - (iii) That the Regional Police Department be requested to continue their existing program of monitoring this problem by their special Task Forces.
5. Whereas the Committee is in receipt of an application from Arthur Young, owner of 430 York Blvd., to close a portion of the alley between Crook Street and Locke Street, north of York Blvd., and whereas Civic Departments have indicated no objection to the closing, it is therefore recommended:
 - (i) That the City Solicitor be authorized to make an application to a County Court Judge under Section 86 of the Registry Act, R.S.O. 1970, for an order to close approximately 8.75 m (28.7 feet) of the alley pursuant to Section 443 of the Municipal Act R.S.O. 1970, said application to be made only after the applicant has complied with clauses 4, 5 and 6 of this recommendation.
 - (ii) That the City Solicitor be authorized to prepare and register the necessary deeds in favour of the abutting owner(s) under Section 57 of The Surveys Act R.S.O. 1970.
 - (iii) That the Regional Commissioner of Engineering be authorized to sign an affidavit setting out that no public funds have been expended on the portion of alley to be closed.

Regional Engineering Continued...

- (iv) That documentation regarding the application to the County Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor and that the applicant be responsible for all fees payable in County Court.
 - (v) That the applicant register a Reference Plan under The Registry Act, said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the City Surveyor and to delineate the manner in which the closed portion is to be distributed among the abutting owner(s) and that the applicant deposit a reproducible copy of said plan with the City Surveyor.
 - (vi) That the applicant satisfy the requirements of Bell Canada with respect to the disposition of their plant.
 - (vii) That the Regional Commissioner of Engineering be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing under Section 51 of Bill 155.
6. That the Commissioner of Engineering be authorized and directed to issue a road allowance occupancy permit for the year 1981 to Lloyd's Glass Limited provided:
- (i) That the vehicles be allowed to occupy the travelled and untravelled portions of the road allowances, excluding sidewalks, for glass installations, cleaning, and maintenance purposes; and
 - (ii) That the applicant complies with all the regulations of City Streets By-Law #9329 and any other conditions that may be set out by the Commissioner of Engineering; and
 - (iii) That the applicant agrees to refrain from occupying the road allowance during rush hours; and
 - (iv) That the applicant indemnifies and saves the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
7. Whereas an agreement, respecting the paving of Burris Street under the Local Improvement Act was entered into by the City of Hamilton and the owners of 46 Burris Street, Dated 14 04 07 and registered as Instrument No. 15792 (Bart.) and whereas this agreement is no longer applicable, it is now recommended:

Regional Engineering Continued...

- (i) That the owners of 46 Burris Street discharge the said agreement registered on title against 46 Burris Street at their own expense and to the satisfaction of the City Solicitor.
 - (ii) That the appropriate officials be authorized to execute the documents in relation to this discharge.
8. That the application of the owners of 467 Ferguson Avenue North to retain an inadvertent stair encroachment onto the road allowance of Ferguson Avenue by a maximum of 1.4 m (4.5 feet) for an approximate distance of 1.2 m (4 feet) be approved during the pleasure of Council provided:
- (i) That the owners prepare an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (ii) That an annual fee of \$10.00 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution, in addition to the \$25.00 annual fee to be charged the owners for encroachment insurance.
9. That the application of the owner of 111 Charles Street to permit a footbridge to encroach onto the road allowance of Charles Street by a maximum of 85 cm (2.8 feet) for an approximate distance of 92 cm (3 feet) be approved during the pleasure of Council; provided:
- (i) That the owner prepares an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (ii) That an annual fee of \$10.00 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution, in addition to the \$25.00 annual fee to be charged the owners for encroachment insurance.
10. That the application of the owners of 2 Alanson Street to retain an inadvertent encroachment of a porch and stairs onto the road allowance of Alanson Street by a maximum of 0.8 m (2.5 feet) for an approximate distance of 2.7 m (8.8 feet) be approved during the pleasure of Council, provided:

Regional Engineering Continued...

- (i) That the owners prepare an agreement, satisfactory to the City Solicitor, to indemnify and save the City Harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (ii) That an annual fee of \$10.00 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution, in addition to the \$25.00 annual fee to be charged the owners for encroachment insurance.
11. Whereas it is desirable and expedient that certain works be undertaken, it is thereby recommended that the report of the Commissioner of Engineering and the City Treasurer, appended hereto, recommending the construction of finished roadways, concrete curbs and independent concrete sidewalks as local improvements on petitions of the property owners pursuant to Section 12 of the Local Improvement Act, be adopted and that the City Clerk and City Treasurer be directed to give the necessary notice of the Council's intention to undertake these works, and that the City Solicitor be directed to make application to the Ontario Municipal Board for approval of the described undertaking pursuant to Section 64 of the Ontario Municipal Board Act if no petition has been filed or an insufficient petition has been filed against the works as set forth in Section 12 of the Local Improvement Act. It is also recommended that the Regional Commissioner of Engineering be authorized to undertake these works on behalf of the City of Hamilton.

Real Estate

12. That the commercial portion of the property at 1079 Upper James Street be leased to Parkcrest Realty Ltd., for a term of one year commencing February 1, 1981, at a rental of \$802.39 per month including taxes, the lessee to have the option to renew for a further one year period at a rental agreeable to both parties and after it has been established that the land will not be required for the Mountain Freeway during the term. The Lessee will be responsible for all utility charges pertaining to the commercial portion of this property, plus all minor repairs to the building and maintenance of the parking area. The City will be responsible for all major repairs to the building such as roof, electrical, heating and plumbing.
- It is further recommended that the City Solicitor be authorized to prepare the necessary lease for this property.
13. That the lands adjoining the Chedoke Expressway north of Aberdeen Ave. west of Longwood Road containing .378 acres, be leased to Canadian Appliance Manufacturing Company Limited for a period of one (1) year commencing January 1, 1981, at an annual rental of \$958.80 plus taxes and that the City Solicitor be authorized to prepare the necessary lease.

14. That the sale of the vacant City owned parcel at 481 West 5th Street to Barbara Pinto for the sum of \$36,975.00 be completed.

Note: It is understood and agreed that this Offer to Purchase is conditional upon the purchaser obtaining approval of a Zoning Change to Modified "C" to allow the construction of a building to be used for a medical practice at this location, said approval to be received on or before August 4, 1981. If this Zoning Change is not received by August 4, 1981, this agreement shall terminate being null and void, and the deposit shall be returned by the Vendor to the Purchaser without interest or deduction for cancellation and the Vendor shall not be liable for any damages or costs.

The purchaser is hereby authorized by the City, the present owner, to apply for the said Zoning Change.

It is understood and agreed that the Vendor, upon completion of this transaction, will pay a 5% commission to Aaron Pomerantz, Realtor, the agent who acted in this matter.

15. Whereas the agreement to accept compensation from Ultramar Ontario Limited is one of the few remaining claims still outstanding from the York Street widening project and whereas this Company agrees to accept the sum of \$5,650.00 as full payment and settlement for all interests in the real property at 485 York Street expropriated by the City on May 15, 1975 for the widening of York Street, and whereas a settlement of this tenant's leasehold interest is a prerequisite to settling the owner's claims respecting the same lands, it is recommended that City Council approve this transaction and charge all costs to account No. 0408-311506.

Traffic

16. That Schedule 9 (Through Highways) of By-law No. 66-100 To Regulate Traffic be further amended by deleting therefrom the following items, namely:

"Brant Street between Niagara Street and Birch Avenue
Beach Road between Lottridge Street and Gage Avenue
Glow Avenue between Parkdale Avenue and Woodward Avenue
Main Street between Parkdale Avenue and Reid Avenue
MacNab Street between York Street and Murray Street
MacNab Street between Herkimer Street and Bold Street
Catharine Street between Hunter Street and Charlton Avenue

Traffic Continued...

Park Street between Cannon Street and York Blvd.
Mary Street between King Street and King William Street
Bold Street between Park Street and James Street"

17. That Schedule 10 (Stops at Intersections) be amended by adding thereto the following item, namely:

"Hughson Northbound and Southbound Strachan".

18. That Schedule 27 (Alternate Side Parking) be amended by adding thereto the following item, namely:

"Parkdale
King to Lawrence Road West East".

19. That Schedule 37 (Snow Routes) be amended by deleting therefrom the following items, namely:

"Beach Road between Lottridge and Gage Avenue
Main Street between Parkdale Avenue and Beland Avenue
Park Street between York Boulevard and Barton Street
Bold Street between Park Street and MacNab Street".

20. (a) That the personnel named below be delted from the list of By-law Enforcement Officers for the City of Hamilton:

"Mr. Louis Verticchio	Mr. John Herski
Mr. Ross Sommers	Mr. Sam Reid".
Mr. John Noseworthy	

- (b) That the personnel named below be added to the list of By-law Enforcement Officers for the City of Hamilton:

"Mr. Brian Bishop	Mr. Derek King
Mr. Paul Buckle	Mr. Leo Brown".
Mr. Gary Flynn	

21. That a short term (7 hour) traffic study be carried out at key intersections and driveway locations in the Kentley Neighbourhood at an estimated cost of \$510.00.

Miscellaneous

22. That the recommendation from the Director of Purchases respecting the following, be approved:

- (a) Data Business Forms - for the supply and delivery of 230,000 parking tags for the total price, including all charges, \$13,345.39 (lower of 2 "received")

Miscellaneous Continued...

- (b) Sanders Electric Limited - for the renovations of the City Hall Lighting System in accordance with the plans and specifications issued by the City Engineer in accordance with the Vendor's Tender for a total price, including all charges, \$72,000.00 (lowest of 3 tenders).

By-Laws

23. That leave be granted to introduce the following bills:

- (a) Bill No. E19 - By-law to close alleyway running northerly from Birge Street, west of Cheever Street.
- (b) Bill No. E20 - By-law to authorize:
 - (i) The construction of local improvements without petition under Section 12 of the Local Improvement Act on Quinn Avenue;
 - (ii) The special assessment to pay a portion of the cost of the works by the abutting owners;
 - (iii) The preparation of the plans, specifications and reports and the supervision of the construction by the Regional Commissioner of Engineering.
- (c) Bill No. E21 - By-law to amend by-law no. 66-100 To Regulate Traffic.

Respectfully submitted,

Alderman F. A. Lombardo, Chairman

R. C. Prowse, Secretary

February 16, 1981
Attachments.

REPORT ON LOCAL IMPROVEMENTS

To the Chairman and Members of the Transport and Environment Committee

Members of the Committee:

The following works are recommended to be undertaken as Local Improvements under "The Local Improvement Act".

Name of Street upon which work is to be Constructed	Between the following Streets or Points	Project Number	Estimated Lifetime Gross Cost of Work in Years	Estimated Gross Cost of Work	Share or Portion of Cost which should be Borne by the Lands Abutting directly on the Work to be Debentured	Share or Portion that should be Borne by the Corporation	Reduction Which Ought to be Made under Section 28 of the Act	Aggregate Amount of such Reduction	Estimated Cost Per Metre to be Rated
11 m to 13 m (36' to 42.7') wide Finished Roadway (Sec. 12 L.I.A.) (referred to in Section 11)									
LIMERIDGE ROAD E., from Upper Wentworth Street to approx. 132 m (433') east of Lawnview Drive.		812-20H	20	\$577,000.00	\$158,473.00	\$418,527.00	143.71 m	\$8,263.00	\$57.50
Estimated Subsidy: \$210,000.00									
Estimated Net City's Share: \$208,527.00 To be Financed from the 1981 Capital Levy									
Concrete Walks and Curbs (Sec. 12 L.I.A.) (referred to in Section 11)									
LIMERIDGE ROAD E. (North Side) from approx. 384 m (1260') east of Upper Wentworth St. to approx. 132 m (443') east of Lawnview Drive.		812-20H	20	\$75,000.00	\$32,068.00	\$42,932.00	22.64 m	\$894.00	\$39.50
Estimated Subsidy: \$7,000.00									
Estimated Net City's Share: \$35,932.00 To be Financed from the 1981 Capital Levy									

- Estimated cost per metre increased by approx. 120% if debentured over 15 years.

DATED at Hamilton this

day of

A.D., 19

W. H. McFarland

Treasurer and Commissioner of Finance.

J. R. G. Leach

Commissioner of Engineering

REPORT ON LOCAL IMPROVEMENTS

To the Chairman and Members of the Transport and Environment Committee

Members of the Committee:

The following works are recommended to be undertaken as Local Improvements under "The Local Improvement Act".

Name of Street upon which work is to be Constructed	Between the following Streets or Points	Project Number	Estimated Lifetime of Work in Years	Estimated Gross Cost of Work	Share or Portion of Cost which should be Borne by the Lands Abutting directly on the Work to be Debentured	Share or Portion that should be Borne by the Corporation	Reduction Which Ought to be Made under Section 28 of the Act	Aggregate Amount of such Reduction	Estimated Cost Per Metre to be Rated
Independent Concrete Curb (Sec. 12 L.I.A.) (Referred to in Section 11)									
LIMERIDGE ROAD E. (North Side) from Upper Wentworth Street to approx. 384 m (1260') easterly.		812-20H	20	\$9,400.00	\$6,120.00	\$3,280.00	Nil	Nil	\$17.00
Estimated Subsidy: \$1,500.00									
Estimated Net City's Share: \$1,780.00 To be Financed from the 1981 Capital Levy									
Concrete Walks (Section 12 L.I.A.) (Referred to in Section 11)									
LIMERIDGE ROAD E: (south side) from approx. 26 m (85') east of Lawnview Drive to approx. 106 m (348') easterly.		812-20H	20	\$9,600.00	\$4,536.00	\$5,064.00	Nil	Nil	\$39.50
Estimated Subsidy: \$1,000.00									
Estimated Net City's Share: \$4,064.00 To be Financed from the 1981 Capital Levy									
Concrete Walks and Curbs (Sec. 12 L.I.A.) (Referred to in Section 11)									
LIMERIDGE ROAD E (south side) from Leggett Crescent to approx. 73 m (240') easterly.		812-20H	20	\$6,100.00	\$2,722.00	\$3,378.00	Nil	Nil	\$39.50
Estimated Subsidy: \$ 600.00									
Estimated Net City's Share: \$2,778.00 To be Financed from the 1981 Capital Levy									

- Estimated cost per metre increased by approx. 120% if debentured over 15 years.

DATED at Hamilton this

day of

A.D., 19

W. H. McFarland

Treasurer and Commissioner of Finance.

J. R. G. Leach

Commissioner of Engineering

REPORT ON LOCAL IMPROVEMENTS

To the Chairman and Members of the Transport and Environment Committee

Members of the Committee:

The following works are recommended to be undertaken as Local Improvements under "The Local Improvement Act".

Name of Street upon which work is to be Constructed	Between the following Streets or Points	Project Number	Estimated Lifetime of Work in Years	Estimated Gross Cost of Work	Share or Portion of Cost which should be Borne by the Lands Abutting directly on the Work to be Debentured	Share or Portion that should be Borne by the Corporation	Reduction Which Ought to be Made under Section 28 of the Act	Aggregate Amount of such Reduction	Estimated Cost Per Metre to be Rated
Independent Concrete Curb (Sec. 12 L.I.A.) (Referred to in Section 11)									
LIMERIDGE ROAD E (south side) from Upper Wentworth Street to west leg of Leggett Crescent		812-20H	20	\$25,000.00	\$22,833.00	\$2,167.00	Nil	Nil	\$39.50
Estimated Subsidy: \$1,000.00									
Estimated Net City's Share: \$ 1,167.00 To be Financed from the 1981 Capital Levy									
Independent Concrete Walks (Sec. 12 L.I.A.) (Referred to in Section 11)									
UPPER SHERMAN AVE. (east side) from approx. 132.5 m (435') north of Limeridge Road to approx. 61.5 m (202') southerly.		821-33	20	\$ 3,800.00	\$ 2,621.00	\$1,179.00	Nil	Nil	\$33.00
Estimated Subsidy: Nil									
Estimated Net City's Share: \$1,179.00 To be Financed from the 1981 Capital Levy									
Independent Concrete Walks (Sec. 12 L.I.A.) (Referred to in Section 11)									
UPPER SHERMAN AVE (west side) from approx. 45 m (148') south of Jasmine Street to approx. 83.5 (274') southerly.		821-33	20	\$ 5,300.00	\$ 5,027.00	\$ 273.00	Nil	Nil	\$33.00
Estimated Subsidy: Nil									
Estimated Net City's Share : \$2,079.00 To be Financed from the 1981 Capital Levy									

- Estimated cost per metre increased by approx. 12% if debentured over 15 years.

DATED at Hamilton this day of A.D., 19

W. H. McFarland

Treasurer and Commissioner of Finance.

J. R. G. Leach

Commissioner of Engineering

REPORT ON LOCAL IMPROVEMENTS

To the Chairman and Members of the Transport and Environment Committee
Members of the Committee:

The following works are recommended to be undertaken as Local Improvements under "The Local Improvement Act".

Name of Street upon which work is to be Constructed	Between the following Streets or Points	Project Number	Estimated Lifetime of Work in Years	Share or Portion of Cost which		Share or Portion that should be Borne by the Corporation	Reduction Which Ought to be Made under Section 28 of the Act	Aggregate Amount of such Reduction	Estimated Cost Per Metre to be Rated
				should be Borne by the Lands Abut- ting directly on the Work to be Debentured	ing directly on the Work to be Debentured				

Independent Concrete Walks (Sec. 12 L.I.A.) (Referred to in Section 11)
UPPER SHERMAN AVE. (west side) from approx. 120.5 m (395') north
of Limeridge Road to Limeridge Road
Estimated Subsidy: Nil

821-33	20	\$6,600.00	\$4,521.00	\$2,079.00	Nil	Nil	\$33.00
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- Estimated cost per metre increased by approx. 120% if debentured over 15 years.

DATED at Hamilton this

day of

A.D., 19

W. H. McFarland

Treasurer and Commissioner of Finance.

J. R. G. Leach

Commissioner of Engineering

REPORT OF THE PERSONNEL COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Personnel Committee presents its THIRD Report for 1981 and respectfully recommends:

1. Approval of the following reclassification:
 - a) Streets & Sanitation Department, Director of Street Services from Salary Schedule "D", \$35,532.64, \$37,409.32, \$39,398.32, \$41,502.24, \$43,916.60 to Salary Schedule "B", \$43,076.80, \$45,421.48, \$47,906.04, \$50,515.92, \$53,551.16, and further that the present incumbent Mr. R. Morden, be placed in the fourth step of Salary Schedule "B", \$50,515.92 per annum effective January 5, 1981.
 - b) That the name of the Department of Streets and Sanitation be changed to the Department of Public Works and that the name of the Director of that Department be changed to reflect the change in the naming of the Department.
2. That services of Victor P. Pala, the Architect originally retained only for preparation of Drawings, Specifications and other Tender Documents for the Fire Department, Additional Sites Facilities, Simulated Fire and Rescue Complex, be extended to cover the Supervision of Construction and Contract Administration, for the additional fee of \$750.00, in accordance with the Schedule of Professional Fees of the Ontario Association of Architects. There are sufficient unincumbered funds in the Project Budget to cover this additional fee.
3. That Mr. G. Whelan, Employee No. 94330, Department of the Director of Cemeteries be granted a leave of absence from February 18, 1981 to April 17, 1981.
4. That the Chief Administrative Officer be granted the authority to approve a leave of absence for civic employees up to one month and that approvals in excess of one month be forwarded to the Personnel Committee for consideration.
5. That the Mayor and City Clerk be authorized to execute the Collective Bargaining Agreement between the Corporation

of the City of Hamilton and the Canadian Union of Public Employees, Local 167 (Dundurn Castle Unit) dated the 6th day of February 1981.

For the information of the members of Council, this agreement covers part-time staff at Dundurn Castle which had previously not been covered by the Collective Bargaining Agreement and now constitutes a separate unit under the cover of Local 167, C.U.P.E.

RESPECTFULLY SUBMITTED,

ALDERMAN P. DRAGE, CHAIRMAN
PERSONNEL COMMITTEE

G. W. McMillan,
Secretary
February 18, 1981

2nd PL

URB/MUN.

MEETING OF CITY COUNCIL

March 10, 1981

A G E N D A

- A Finance Committee
- B Legislation Committee
- C Parks and Recreation Committee
- D Planning and Development Committee
- E Transport and Environment Committee
- F Personnel Committee

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:-

The Finance Committee presents its SIXTH Report and respectfully recommends:-

1. Approval of the awarding of the following contracts:-

(1) IBM CANADA LTD., HAMILTON, ONTARIO.

- Re: Treasury Department -

Monthly availability charges for computer programs for the
months of January, February, & March.....\$ 21,902.00

Monthly availability charges Unit Record, Data Preparation,
Computer System and related peripheral devices for the
months of January, February and March\$216,000.00

(2) GANDALF DATA COMMUNICATIONS LTD., Ottawa, Ontario.

- Re: Hamilton Public Library -

9 Model LDM 404B, 9 Model RM 3404B Modems, 1 LDS 3000A Chassis
and 1 Prewiring for 3000A Chassis.....\$ 25,540.82

Only available supplier.

(3) HOLLAND CHEVROLET OLDSMOBILE INC., Burlington, Ontario.

- Re: Various Departments -

14 Chevette Compact Size Motor Vehicles.....	\$ 55,225.93
2 Chevrolet Belair, 8 Cylinder Motor Vehicles.....	11,827.94
2 Chevrolet 3/4 Ton Window Vans.....	14,391.65
1 Chevrolet 1 Ton Pick-up Truck.....	<u>7,234.17</u>
	<u>\$ 88,679.69</u>

(4) HAMILTON MOTOR PRODUCTS LTD., Hamilton, Ontario.

- Re: Various Departments -

1 Acadian Compact Size Motor Vehicle.....\$ 4,968.05

(5) PARKSIDE PLYMOUTH CHRYSLER LTD., Hamilton, Ontario.

- Re: Various Departments -

6 Dodge 3/4 Ton Pick-up Trucks.....\$45,758.00

1 Dodge 1 Ton Pick-up Truck..... 7,700.55

\$53,458.55

(6) BAY-KING MOTORS LTD., Hamilton, Ontario.

- Re: Various Departments -

3 Dodge 3/4 Ton Window Vans.....\$23,632.00

(7) ROBT. SLESSOR MOTORS, Grimsby, Ontario.

- Re: Various Departments -

1 Acadian Compact Size Motor Vehicle.....\$ 4,106.70

(8) EASTGATE FORD SALES & SERVICE, Hamilton, Ontario.

- Re: Various Departments -

1 Ford F350 Low Platform Stake Dump Body Truck.....\$10,706.00

Note: Above the lowest of 9 tenders.

2. City Council at its meeting held February 24, 1981 referred back Subsection 1 of Section 3 of the Fifth Report of the Finance Committee respecting the awarding of a contract to The Office People for the servicing maintenance of typewriters, etc., for the year 1981. The Finance Committee has reviewed the original recommendation with the Director of Purchases and recommends approval of the original recommendation that a contract be awarded to The Office People, Hamilton, Ontario for the servicing maintenance of typewriters, adding machines and calculators for the year 1981 at a cost of \$10,402.74. This is the lowest of four (4) acceptable tenders.

Submitted with this agenda is a copy of the report of the Director of Purchases respecting this recommendation.

A2

3. That the National Congress of Italian-Canadians - Hamilton District be authorized to continue their occupancy of the former Sherman Avenue Police Station to March 31, 1981 under the same terms and conditions previously approved by City Council whereby the City of Hamilton will assume the cost of maintaining this building up to March 31, 1981 in order to permit this organization to wind up the affairs associated with the Southern Italy Earthquake Relief Fund, and that the National Congress of Italian-Canadians - Hamilton District be required to close and register the outstanding Purchase/Sale Agreement approved by City Council, October 28, 1980 by March 27, 1981 or vacate the premises forthwith thereafter and is subject to said requirement being completed to the satisfaction of the City Solicitor.
4. That the City Treasurer be authorized to discontinue the Supplementary Lease Agreement with IBM for the 370/148 Computer and enter into a Supplementary Lease Agreement with IBM for the 4341 Systems, with estimated delivery April 1, 1981 and delivery of a satellite in October 1981.

Submitted with this agenda is a copy of the report of the City Treasurer respecting this lease agreement.

5. That the City Solicitor be authorized and directed to file an objection immediately with the Canadian Radio-Television and Communications Commission with respect to the application of Bell Canada for increased rates effective September 1, 1981.

NOTE: Members of City Council are advised that the deadline for filing an objection or intervention is March 30, 1981. The Finance Committee is recommending the filing of this objection at this time and will be considering this matter again at its next regular meeting prior to the end of March 1981.

6. City Council at its meeting held January 27, 1981 adopted Section 13 of the Third Report of the Transportation and Environment Committee which authorized replacement of the Total Radio Communications System of the City and the Region with the City's share being \$451,000.00. Also approved was Section 7 of the Third Report of the Finance Committee which referred the method of financing to the Capital Budget Committee.

The Finance Committee recommends prior to the adoption of the 1981 - 1985 Capital Budget, (which has been approved by the Finance Committee and which will be presented to City Council, April 14, 1981, in its final form) that the City's share of \$451,000.00 be financed from the 1981 Capital Levy.

It is further recommended that the consultant's fee of KVA Communications and Electronics of \$5,300.00 for Phase Two of the project be financed from the Contingency Account of the 1981 Estimates.

7. That leave be granted to introduce the following Bills:-

- (a) Bill A-9 - By-law to Amend By-law 76-162 Respecting The Gibson Neighbourhood Improvement Area.
- (b) Bill A-10 - By-law to Amend By-law 75-151 Respecting The Kirkendall-Strathcona Neighbourhood Improvement Area.

RESPECTFULLY SUBMITTED,

ALDERMAN P. O. VALERIANO,
CHAIRMAN, FINANCE COMMITTEE.

R. M. Collier, Secretary,
March 5, 1981.

REPORT OF THE LEGISLATION COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its SIXTH Report and respectfully recommends:

GRANTS

1. That a grant in the amount of \$1,000.00 be made to the Hamilton Diocesan Council, Catholic Womens League to assist in defraying expenses in connection with their Annual Convention to be held September 12-19, 1981 in the City of Hamilton. Estimated attendance, 700 delegates.
2. That a grant in the amount of \$175.00 be made to the Mohawk College Student Chapter, Canadian Society for Chemical Technology to assist in defraying expenses in connection with their 4th Annual South Western Ontario Community College Chemistry Conference, to be held in the City of Hamilton on Friday, March 27, 1981. Estimated attendance, 200 delegates.
3. That a grant in the amount of \$300.00 be made to the Hamilton District Five Pin Bowlers Association to assist in defraying expenses in connection with the Ontario Five Pin Bowling Championships to be held in the City of Hamilton from April 15-18, 1981. Estimated attendance, 600 bowlers.

CITY HALL FACILITIES

4. That permission be granted to the YWCA Strawberry Festival Committee to use the City Hall Forecourt on June 18, 1981 to hold their Strawberry Festival.

RESOLUTIONS

5. That the following resolution be endorsed.

(a) City of Brampton

"THAT Council petition the Province of Ontario to standardize all purchase agreements for new homes to include, among other things, the right of the purchaser to withhold the statutory holdback required by the Mechanics' Lien Act and that copies of such petition be referred to our Local Members and all Municipalities with a population in excess of 75,000 people for endorsement."

LEGISLATION

6. That leave be granted to introduce the following bill:

- (a) Bill B-21 - By-law to confirm Proceedings of the Council of the Corporation of the City of Hamilton at its meeting held on the 10th day of March, 1981.

OTHER

7. That the area housing the Art Gallery, Hamilton Place, Hamilton Convention Centre and City Hall be officially named "Civic Square."
8. That the following policy on the retention of Consulting Engineers and Architects be adopted by the City of Hamilton.

CITY OF HAMILTON POLICY
ON RETENTION OF CONSULTING ENGINEERS
AND ARCHITECTS

"That all Consulting Engineers and/or Architects retained by the City of Hamilton shall disclose to the City, prior to accepting an assignment, any potential conflict of interest. If such a conflict of interest does exist, the City of Hamilton may, at its discretion, withhold the assignment from the Consulting Engineer and/or Architect until the matter is suitably resolved, and further that if during the conduct of a City assignment a Consulting Engineer and/or Architect is retained by another client giving rise to a potential conflict of interest, then the Consulting Engineer and/or Architect shall so inform the City. If a significant conflict of interest is deemed to exist, then the Consulting Engineer and/or Architect shall refuse the new assignment or shall take such steps as are necessary to remove the conflict of interest."

· Respectfully submitted,

ALDERMAN J. MACDONALD, CHAIRMAN

S.G. Hollowell, Secretary
March 3, 1981
SGH/sma

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its SIXTH Report for 1981 and respectfully recommends:

1. That the City Solicitor be authorized and directed to take the steps necessary to establish an independant foundation to raise funds through public subscription, for the proposed Trade Centre/ Arena Project.
2. That the Corporation of the City of Hamilton grant to the Regional Municipality of Hamilton-Wentworth, for the sum of \$1.00, an easement for sewer purposes, over a parcel of City-owned land in the area of Limeridge Road East and Mountain Brow Boulevard and more particularly described as Part 7, Plan 62R-5673.

Respectfully submitted,

ALDERMAN K. M. EDGE, CHAIRMAN
PARKS AND RECREATION COMMITTEE

J. J. Schatz, Secretary
February 26th, 1981

To the Council of The Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its TENTH Report and respectfully recommends:-

1. That approval be given to Zoning Application 80-92, Gino Bartolozzi, in trust for O & B Soning Ltd., owner, to establish a change in zoning from "DE-2" (Multiple Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District for property located at #952 King Street East, as shown on the plan marked as APPENDIX "A" attached, on the following basis:

- i) that the subject land be rezoned from "DE-2" (Multiple Dwellings, etc.) District to "H" (Community Shopping and Commercial) District with the following variances:
 - (a) that notwithstanding Section 18(3)(ivc)(b) of By-law No. 6593, a planting strip of 1.5 m (5') wide shall be provided and maintained along and within every side lot line and rear lot line adjoining a residential district, and no parking or other use shall be permitted within the said 1.5 m (5') strip;
 - (b) that notwithstanding Section 18(3)(ivc)(c) of By-law No. 6593, a 1.2 m (3.94') to 2.0 m (6.56') high closed fence shall be erected and maintained along every such side lot line or rear lot line adjacent to any established residential district boundary;
- ii) that the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-738, and that the subject land on Zoning District Map E-33 be notated S-738;
- iii) that the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map E-33 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk;
- iv) that the Stipeley Neighbourhood Plan be modified to show a re-designation of the subject lands from "Low Density Apartments" to "Commercial";
- v) that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE

The by-law will provide for a change in zoning from "DE-2" (Multiple Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District of land located at #952 King Street East. The purpose of the change is to permit expansion of an existing new and used car sales business located on abutting land to the east.

2. That Item 3 of the 3rd Report of the Planning and Development Committee for 1981 be rescinded and that By-law No. 80-051 respecting No.80 Jones Street be repealed on the following basis:

- i) That the "A" (Conservation, Open Space, Park and Recreation) District Zoning Regulations as contained in Section 7 of By-law 6593 applicable to the property at No.80 Jones Street, as shown on the plan at APPENDIX "B" attached, be modified as follows:
 - (a) that the existing residential building shall be permitted, and
 - (b) that the alteration, extension, or enlargement of the residential building referred to in paragraph (a), shall be permitted in accordance with "C" (Urban Protected Residential, etc.) District provisions of By-law No.6593, and
 - (c) that one single-family dwelling shall be permitted in accordance with the "C" (Urban Protected Residential, etc.) District provisions of By-law No.6593, on the subject land.
- ii) That the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-739 and that the subject land on Zoning District Map W-21 be notated S-739.
- iii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map W-21 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE

The by-law will permit a modification to the "A" (Conservation, Open Space, Park and Recreation) District Regulations, applicable to the property at No.80 Jones Street, to allow

- a) the existing residential building to be altered, extended or enlarged in accordance with the "C" (Urban Protected Residential, etc.) District provisions;
- b) the erection of a single-family dwelling in accordance with the "C" (Urban Protected Residential, etc.) District provisions.

It is noted that this by-law will supercede By-law No. 81-051.

3. That approval be given to City Initiative 80-V to establish the following changes in zoning to implement the McAnulty Neighbourhood Plan, as described on the Plan at APPENDIX "C" attached, on the following basis:

- i) That part of the subject lands described as Block 1, be rezoned from 'H' (Community Shopping and Commercial, etc.) District, to 'D' (Urban Protected Residential - One and Two Family Dwellings, etc.) District.

- ii) That part of the subject lands described as Blocks 2, 3 and 4 and zoned 'J' (Light and Limited Heavy Industrial, etc.) be modified on the following basis:
 - a) That the uses listed in clauses (xii), (xiii), (xvii), (xx) and (xxii) of Section 16(1) of By-law 6593 shall be prohibited.
- iii) That By-law 79-275 establishing Site Plan Control be amended by adding lands shown as Blocks 2, 3 and 4 to Schedule "B".
- iv) That the amending By-law be added to Section 19(b) of the Zoning By-law as Schedule S-740 and that Blocks 2, 3 and 4 on Zoning District Map E-52 be noted S-740.
- v) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map E-52 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- vi) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE

The by-law will provide for a change in zoning for areas located in the McAnulty area and described as Blocks 1, 2, 3 and 4 on APPENDIX "C". The purpose of the change in zoning for Block 1, is to permit only residential uses under the 'D' (Urban Protected Residential - One and Two Family Dwellings, etc.) District regulations. The purpose of the modification in the 'J' (Light and Limited Industry, etc.) District, for Blocks 2, 3 and 4 is to establish Site Plan Control and to prohibit:

- i) a planing products plant, a meat products plant, etc.;
- ii) any other animal products plant;
- iii) a wood products factory, sawmill or planing mill;
- iv) the manufacture of lime or lime products, asbestos etc.;
- v) a plastic products factory, etc.

The proposed rezonings implement the Approved McAnulty Neighbourhood Plan.

4. That approval be given to Zoning Application 80-71, Gary and Shirley Latta, owners, for an amendment to the zoning regulations applicable to property at #55 Sherman Avenue South, as shown on the plan marked APPENDIX "D" attached, on the following basis:

- 1) That part of the subject land designated as Block 1 be rezoned from "C" (Urban Protected Residential - Single Family Dwellings, etc.) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District;

- ii) That the "D" District provisions as contained in Section 10 of By-law No.6593 applicable to the lands described as Blocks 1 and 2 be modified as follows:
 - a) that a 1.2 m (3.94') to 2.0 m (6.56') high closed fence be required along the easterly and northerly property lines, and that a 1.5 m (5') planting strip be required adjacent to the easterly property line;
 - b) that notwithstanding the provisions of clause (v) of subsection (1) of Section 10 of By-law 6593, an ordinary lodging house licensed as such, for the accommodation of not more than 20 lodgers shall be permitted;
- iii) That the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-741 and that the subject land on Zoning District Map E-33 be notated as S-741;
- iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map E-33 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk;
- v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE

The By-law will provide as follows:

- 1) a change in zoning from "C" (Urban Protected Residential - Single Family Dwellings, etc.) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District of property at #55 Sherman Avenue South (Block 1) and,
- 2) a modification to the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to establish appropriate landscaping and fencing along the easterly and northerly property limits, and to permit a licensed lodging house to have a maximum of 20 lodgers, of property at 55 Sherman Avenue South (Blocks 1 and 2).

5. That Zoning Applications 80-94 and 80-95, Morsur Holdings Limited, prospective owner, requesting a change in zoning from "C" to "H" and "C" Modified of a parcel of vacant land situated at the rear of the former Y.M.C.A. building, located at #500 Upper Wellington Street, be refused for the following reason:-

It is considered that the residential and commercial developments as contemplated would adversely affect the surrounding residential properties.

6. That By-law 75-61 as amended by By-law 75-175 providing for the setback of buildings on major streets in the Central Area of the City be amended so as to allow the erection of a sign on the front of property at 31 Cannon Street East, and that the City Solicitor be directed to prepare a by-law accordingly.

7. That the Regional Municipality of Hamilton Wentworth be requested to extend for one year the draft approval of "Rolga Heights" Subdivision Application SA 77-27.

NOTE: Draft approval for "Rolga Heights" expires on March 16, 1981. Since the conditions of approval have not changed it is recommended that the draft approval be extended.

8. That the Chairman or his nominee be authorized to attend the 1981 American Planners Association National Planning Conference, to be held in Boston, Mass. April 25th to 29th 1981.

9. That the City Solicitor be authorized and directed to prepare a By-law authorizing the Building Commissioner to take all necessary steps to have the site at No.659 Upper Wellington Street cleared of all buildings, structures, debris or refuse and left in a graded and levelled condition so as to conform with the Property Standards By-law No.74-74.

EXPLANATORY NOTE

The required Notice and Order have been served upon the owners. Authority for this action is provided under Section 36(21) of the Planning Act and Section 469 of the Municipal Act, which provides expenses incurred by the City to be recovered in a like manner as Municipal Taxes.

10. That the Building Commissioner be authorized to issue demolition permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:-

180 Homewood Avenue

2739 Barton Street East

11. That in accordance with the increases in the Ontario Home Renewal Programme income levels as recently announced by the Province of Ontario, the Hamilton Rehabilitation Programme eligibility be increased for families with dependents, earning less than \$20,000.00, adjusted, and that the City Solicitor be authorized and directed to amend Section 2(c) of By-law 78-113 to read - "whose adjusted family income does not exceed \$20,000.00".

12. Approval of the following:-

1. WHEREAS, pursuant to Section 2A(1), The Housing Development Act,

Province of Ontario, and Regulation 688/74, the Province of Ontario has made annual grants to municipalities for the purpose of implementing the Ontario Home Renewal Programme (O.H.R.P.); and

WHEREAS, the Corporation of the City of Hamilton is desirous of continuing to implement the Ontario Home Renewal Programme through application for, and subsequent disbursement of an annual grant for fiscal 1981/82.

NOW THEREFORE, it is recommended:-

- i) that the Director, Department of Community Development, be hereby authorized and directed to make application on behalf of The City of Hamilton, to The Minister of Housing, Province of Ontario, requesting a grant pursuant to the provisions and regulations pertaining to the Ontario Home Renewal Programme.
- ii) that the Corporation of The City of Hamilton seek, as required by the Minister of Housing, a Resolution of the Council of the Regional Municipality of Hamilton Wentworth re-affirming that the Regional Municipality does not intend to participate in the Ontario Home Renewal Programme.

13. Approval of the sale of Lot 10 - Proposed Plan of Subdivision - Hamilton Mountain Industrial Park No.3, to Union Gas Limited, having an approximate area of 2.40 acres, for the sum of \$108,000.00. Cash deposit of \$10,800.00. Balance of purchase price on closing of sale, which shall be on or before March 13, 1981.

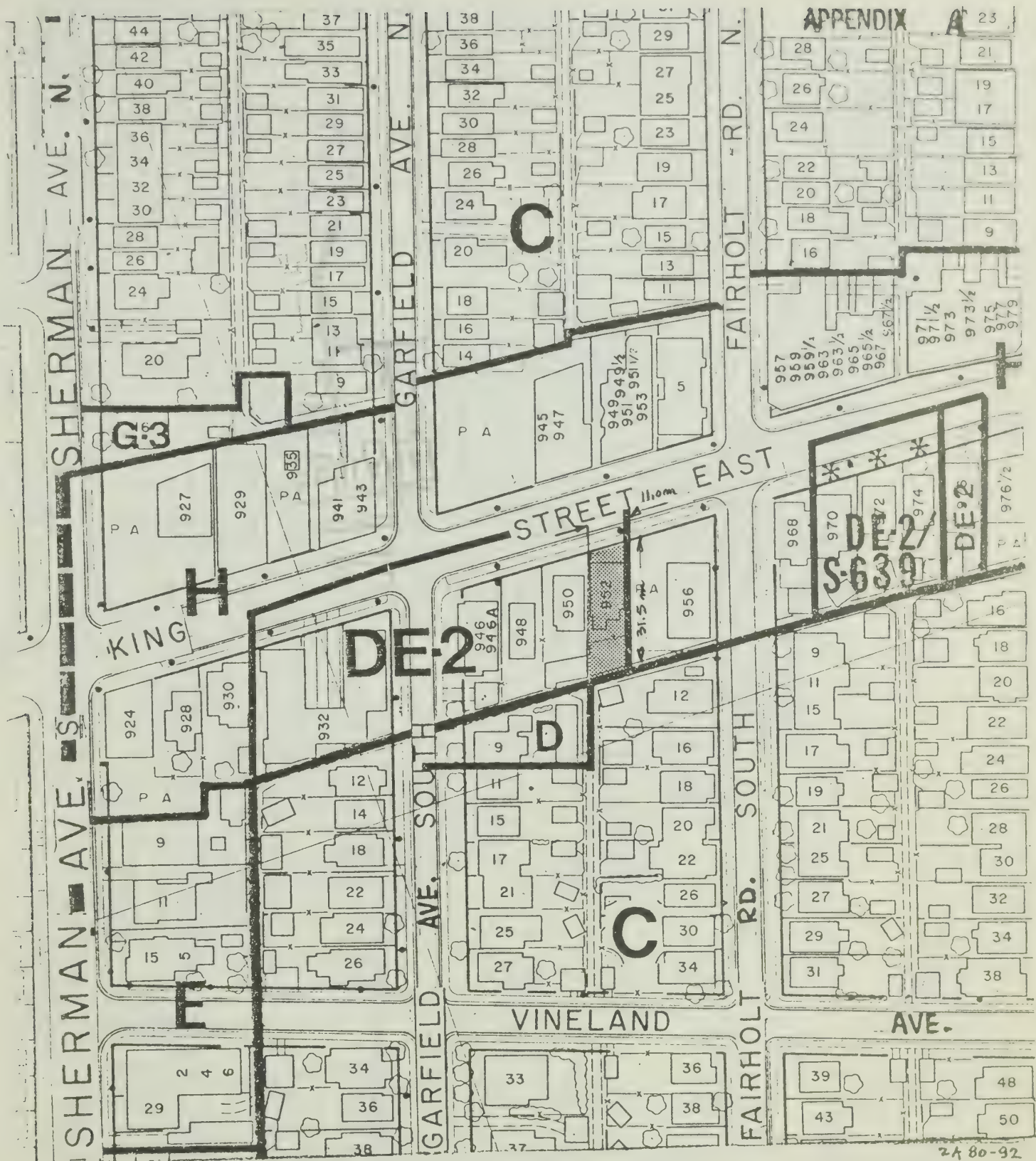
14. That leave be granted to introduce the following Bills:-

- (a) Bill Number D-34 - a By-law to amend Zoning By-law 6593 respecting land located at Municipal No.11 Arthur Avenue South.
- (b) Bill Number D-35 - a By-law to Authorize Demolition and Clearing of Buildings, Structures, Debris or Refuse at Municipal No.659 Upper Wellington Street.

Respectfully submitted,

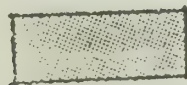
Alderman W. M. McCulloch, Chairman
Planning and Development Committee

JDT:bg
March 4, 1981



LEGEND

D7



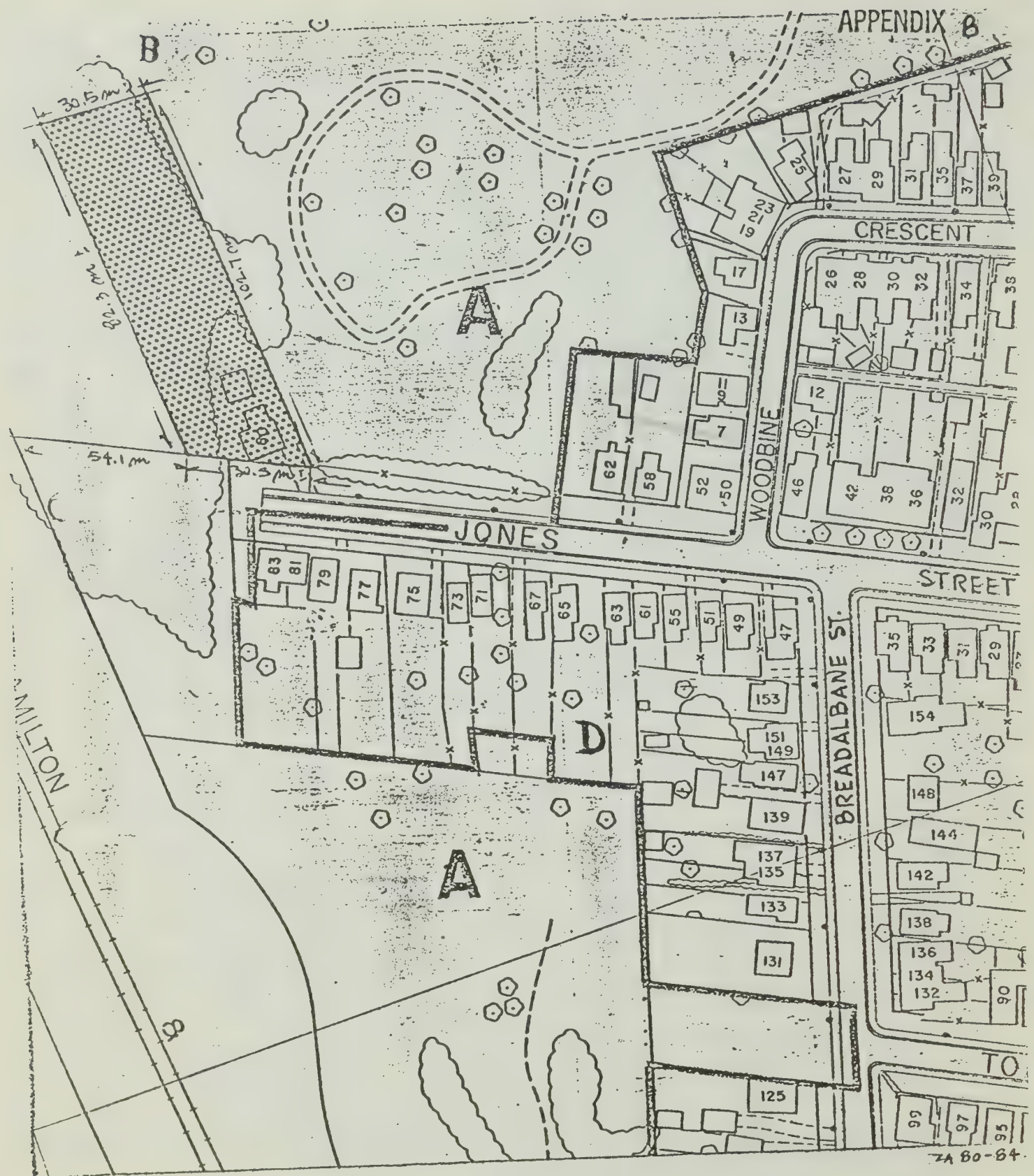
Lands for which a change in zoning from "DE-2" (Multiple Dwellings) District to "H" (Community Shopping and Commercial, etc.) District is proposed.

APPENDIX A

2A 80-92



F

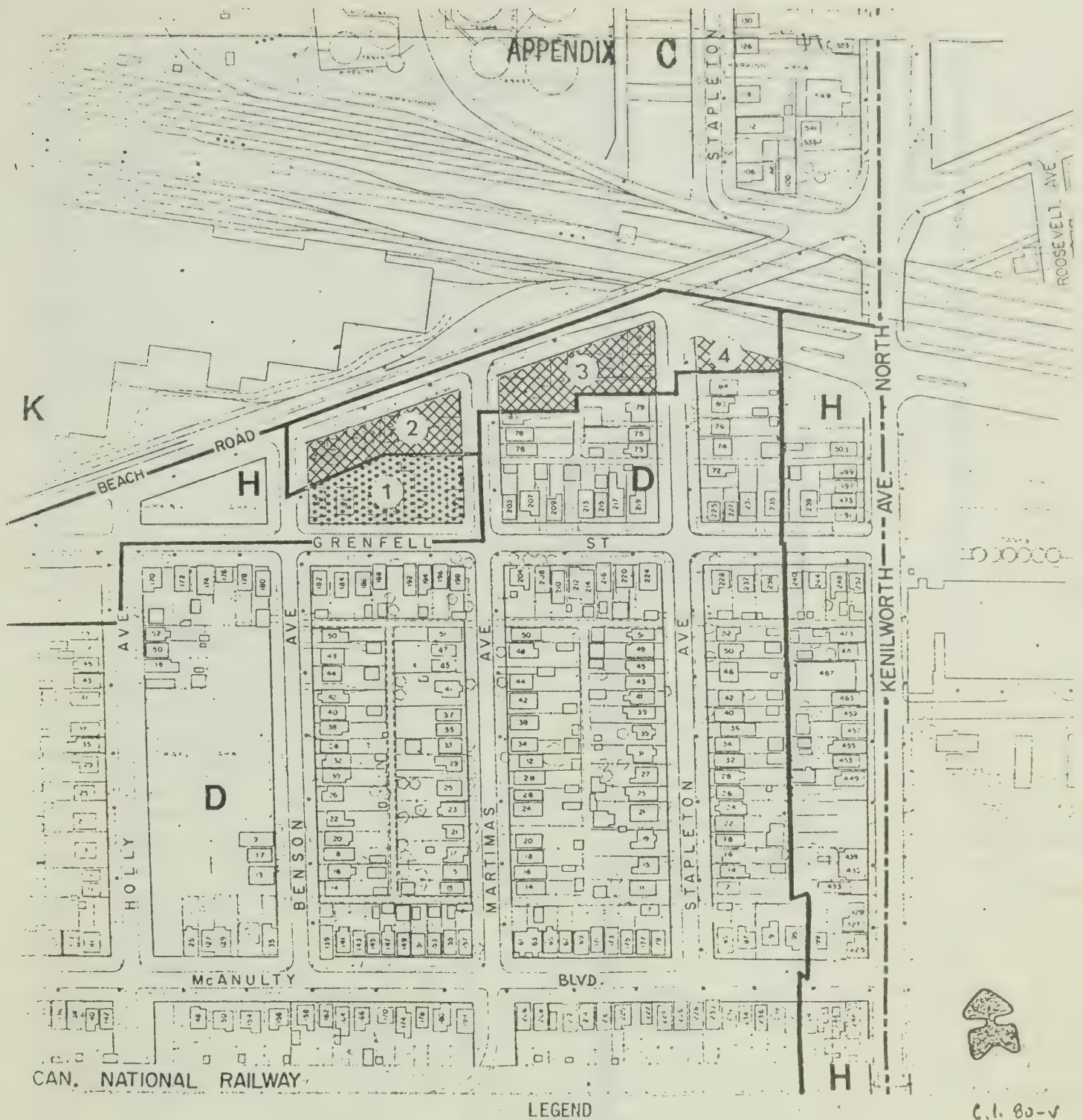


D8



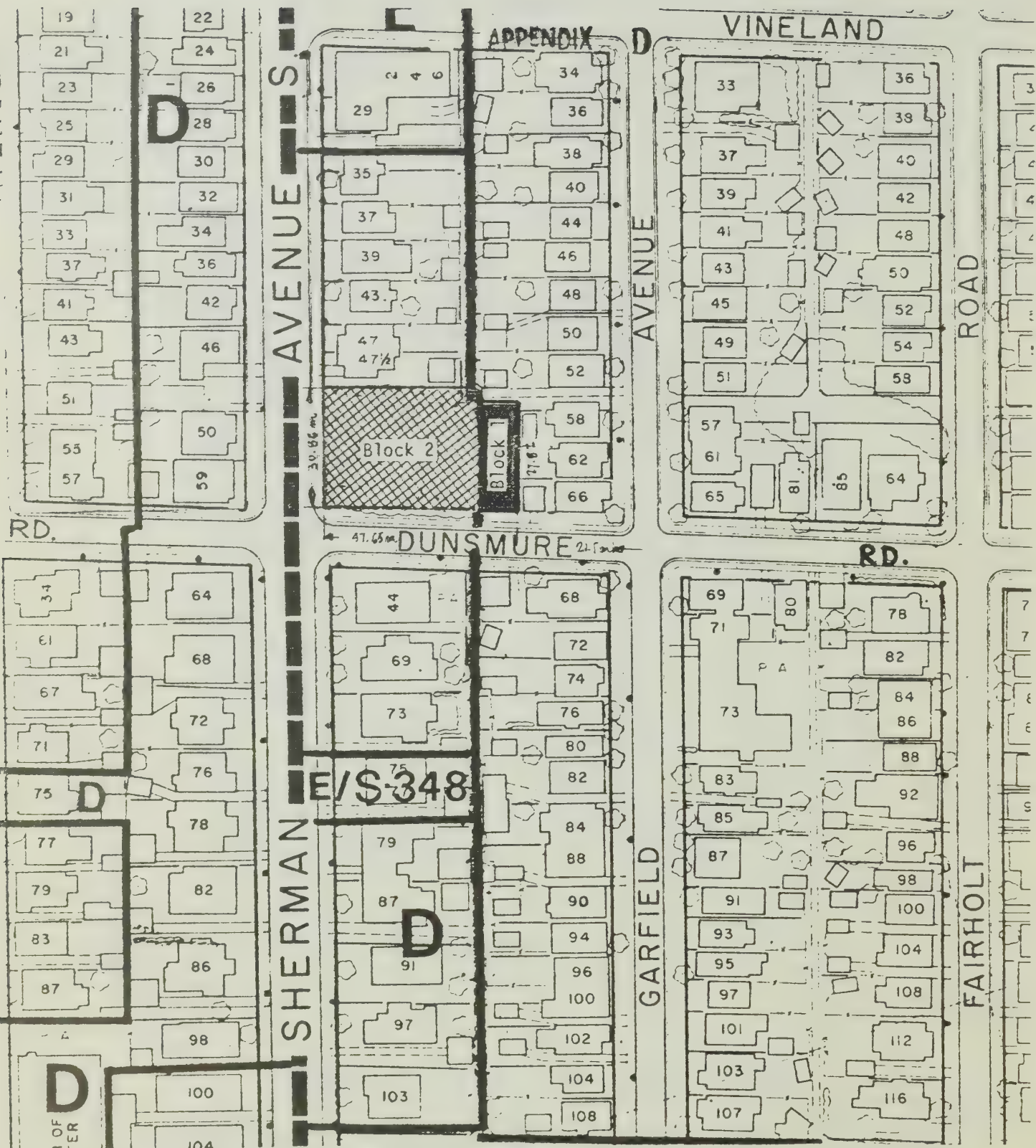
APPENDIX B





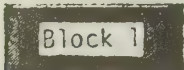
C.I. 80-5

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LEGEND

Lands for which the following changes are proposed:



Change in zoning from "C" to "D" to permit parking for the adjoining lodging house.



Site of existing lodging house to allow proposed increase from 12 to 20 lodgers.

APPENDIX D

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its SIXTH Report for 1981 and respectfully recommends:-

CITY ENGINEERING

1. That three 175 Watt mercury vapour traditionaire post top luminaires, on concrete standards, be installed on the walkway between Yarmouth Court and Whitney Avenue at a cost of \$30.06, each, per annum plus \$600.00, and that the City Engineer be directed to report to the Committee on a revised policy six months after this installation.

REGIONAL ENGINEERING

2. Whereas City Council at its meeting held on February 26, 1980, approved the cost sharing for Summerlea Meadows (Phase 1) Subdivision, on the basis that the open side of the boundary street was in the same ownership as the lands being developed and whereas the owner has now advised that the undeveloped lands on the opposite side of Summerlea Drive are in the ownership of an estate and consequently the respective costs should not be borne by himself at this time, it is therefore recommended:

- i) That item 2 of the Third Report of the Traffic and Engineering Committee as adopted by City Council on 80 02 26, be rescinded.
- ii) That the submitted schedule of works, dated November 13, 1980 and approved by the Commissioner of Engineering on February 8, 1981, for the estimated cost of services be approved for inclusion for the proposed subdivision agreement.
- iii) That the City's share of the cost of development for this subdivision be charged to the Reserve for Services through Unsubdivided Lands, account no. 0280-12.

<u>TYPE OF WORK</u>	<u>AMOUNT</u>
Curbs and sidewalks	\$2119
Final Roads	<u>\$3687</u>
TOTAL	<u>\$5806</u>

Regional Engineering Continued...

- iv) That the approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered.
- v) That in the event the subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enters into a Standard Agreement for pre-servicing.

3. Whereas City Council at its meeting held on June 26, 1979 adopted a recommendation of the Planning and Development Committee that a Subdivision Agreement be entered into between the City and Abottsford Homes Limited (owner) covering the development of Cardinal Heights Addition No. 4 - Phase 3 and whereas the City will not share in the cost of installation of Municipal services in this development, it is recommended that:

- i) The submitted schedules dated December 19, 1980 and approved by the Commissioner of Engineering on February 25, 1981 for the estimated cost of services be approved for inclusion in the proposed subdivision agreement;
- ii) The approval of the above clause be subject to the condition that work not be commenced until the Final Survey Plan and the subdivision agreement have both been registered; and,
- iii) In the event that the subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enters into a Standard Agreement for pre-servicing.

4. Whereas City Council at its meeting held on March 25, 1980 approved a recommendation of the Planning and Development Committee that a Subdivision Agreement be entered into between the City and Gurnett Investments Limited (owner) and Mr. Attilio Bollella (owner) covering the development of Hillside Terrace (Phase 1) Subdivision and whereas the City will not share in the cost of installation of Municipal services in this development, it is recommended that:

- i) The submitted schedules dated January 29, 1981 and approved by the Commissioner of Engineering on February 24, 1981, for the estimated cost of services be approved for inclusion in the proposed Subdivision Agreement.

Regional Engineering Continued...

ii) The approval of the above clause be subject to the condition that work not be commenced until the Final Survey Plan and the Subdivision Agreement have both been registered.

iii) In the event that the subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enters into a Standard Agreement for pre-servicing.

5. Whereas City Council at its meeting held on June 26, 1979, approved the recommendation of the Planning and Development Committee that a Subdivision Agreement be entered into between the City and Abottsford Homes Limited (owner) covering the development of Cardinal Heights Addition No. 4 - Phase 2 and where- as the City will not share in the cost of installation of municipal services in this development, it is recommended that:

i) The submitted schedules dated December 19, 1980 and approved by the Commissioner of Engineering on February 25, 1981 for the estimated cost of services be approved for inclusion in the proposed Subdivision Agreement.

ii) The approval of the above clause be subject to the condition that work not be commenced until the Final Survey Plan and the Subdivision Agreement have both been registered.

iii) In the event that the subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enters into a Standard Agreement for pre-servicing.

6. Whereas it is desirable and expedient that certain works be undertaken, it is hereby recommended:

i) That the Report of the Commissioner of Engineering and the City Treasurer, appended hereto, recommending the construction of finished roadways, combined walks and curbs and independent concrete curbs as local improvements on the initiative pursuant to section 12 of the Local Improvement Act be adopted.

ii) That the City Clerk and the City Treasurer be directed to give the necessary notice of the Council's intention to undertake these works.

Regional Engineering Continued...

- iii) That the City Solicitor be directed to make application to the Ontario Municipal Board for approval of the described undertaking pursuant to section 64 of the Ontario Municipal Board Act, if no petition has been filed or an insufficient petition has been filed against the work as set forth in section 12 of the Local Improvement Act.
- iv) It is also recommended that the Regional Commissioner of Engineering be authorized to undertake these works on behalf of the City of Hamilton.

7. That a request from the owners of Cochren Construction Company Ltd., that consideration be given for relief from the normal City policy under which developers are required to pay half the cost of a normal residential street abutting their lands, be denied and that the City's normal policy for cost sharing be maintained.

8. That an application from the office of the City Solicitor to close the alley running westerly from Caroline Street, between Cannon Street and York Boulevard, be approved subject to the following:

- i) That the City Solicitor be authorized to make an application to a County Court Judge under Section 86 of the Registry Act, R.S.O. 1970, for an order to close the alley pursuant to Section 443 of the Municipal Act R.S.O. 1970,
- ii) That the City Solicitor be authorized to prepare and register the necessary deeds in favour of the abutting owner under Section 57 of the Surveys Act R.S.O. 1970,
- iii) That the Regional Commissioner of Engineering be authorized to sign an affidavit setting out that no public funds have been expended on the portion of alley to be closed.
- iv) That the City Solicitor be authorized to prepare all documentation in relation to the application to the County Court Judge.
- v) That the City Surveyor be authorized to prepare any descriptions and plans as may be necessary.

Regional Engineering Continued...

- vi) That the Regional Commissioner of Engineering be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing under Section 51 of Bill 155.

PUBLIC WORKS

9. That the following recommendations of the Director of Public Works regarding a residential newspaper recovery and recycling program, be approved:

- i) That the Hamilton-Wentworth 3rd Sector Employment Enterprises be the authorized agent to pick up newspaper at curb side or other convenient locations every two (2) weeks and on non garbage collection day.
- ii) That garbage collection by-law No. 66-182 be amended to prevent unauthorized persons from picking up separated newsprint on advertised collection days.
- iii) That when required, the City Licence Inspectors enforce this new section of by-law no. 66-182.

REAL ESTATE

10. That the City purchase the land on Limeridge Road East being composed of part of Lot 9, Concession 6, formerly in the Township of Barton, now in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, being a parcel of land having a frontage of 201.213 metres along the northerly limits of Limeridge Road East by a depth of about 3.048 metres, and more particularly described as Part 2 outline of Plan 62R-5676, from Amron Construction Limited for the nominal sum of \$1.00 as part of certain lands necessary for the widening of Limeridge Road East.

11. That the City lease for 4,000 square feet of land on the south-west corner of Burlington Street East and Niagara Street to the Ontario Paper Company of Thorold, Ontario for parking purposes at an annual rental of \$680.00 per year plus taxes for a period of one year commencing March 1, 1981 and that the City Solicitor be authorized to prepare the necessary lease.

It is further recommended that the Director of Real Estate be authorized to approve any subsequent renewals of this lease and be authorized to make any adjustments in the financial terms of the lease.

TRAFFIC

12. That the application to lease a portion of the boulevard of Mary Street adjacent to No. 117 Cannon Street East, for the purposes of boulevard parking be approved during the pleasure of City Council provided:

- i) That the owner complies with the requirements as set out in the policy respecting using a portion of the road allowance for parking purposes.
- ii) That the approach and parking area be constructed in accordance with the submitted plan at the owner's expense.
- iii) That the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- iv) That the applicant pay the annual fee as established by City Council plus taxes, in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.

13. That the application by 307623 Ontario Limited to lease a portion of the boulevard of Leeming Street, adjacent to No. 44 Leeming Street, for boulevard parking purposes be approved during the pleasure of City Council provided:

- i) That the owner complies with the requirements as set out in the policy respecting using a portion of the road allowance for parking purposes.
- ii) That the approach and parking area be constructed in accordance with the submitted plan at the owner's expense.

Traffic Continued...

- iii) That the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- iv) That the applicant pay the annual fee as established by City Council plus taxes, in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.

MISCELLANEOUS

14. That a purchase order (in the amount of \$5,300.00) be issued to KVA Communications and Electronics as payment for the completion of Phase II of the project re: the preparation of the specification and tender documents for the replacement radio communication system, and further that the Finance Committee recommend the method of financing.

15. That the recommendation of the Director of Purchases respecting the following be approved:

Paling Collision & Alignment Ltd. - for repairs to Streets
and Sanitation Vehicle #9645, Catchbasin Cleaner...\$11,758.59.
(Note: Only Supplier)

16. That the City Solicitor be directed to prepare and the Mayor and the City Clerk be authorized to execute discharges of the following paving agreements:

- i) Lucille Investments Limited - 120 Quigley Road (47826 L.T.)
- ii) Snetford Limited - 145 Rice Avenue (49581 L.T.)

on condition that the condominium corporations which own the common elements in the abutting lands first register new paving agreements and undertake to make an annual contribution (now \$25.00), toward the premium on the City's insurance policy.

BY-LAWS

17. That leave be granted to introduce the following bill:

Bill No. E22 - By-law to Amend By-law No. 66-100 To
Regulate Traffic.

Respectfully Submitted,

Alderman V.J. Agro, Acting Chairman

R.C. Prowse, Secretary
March 2, 1981
Attachments.

REPORT ON LOCAL IMPROVEMENTS

To the Chairman and Members of the Transport and Environment Committee

Members of the Committee:

The following works are recommended to be undertaken as Local Improvements under "The Local Improvement Act".

Name of Street upon which work is to be Constructed	Between the following Streets or Points	Project Number	Estimated Lifetime of Work in Years	Estimated Gross Cost of Work	Share or Portion of Cost which should be Borne by the Lands Abutting directly on the Work to be Debentured	Share or Portion that should be Borne by the Corporation	Reduction Which Ought to be Made under Section 28 of the Act	Aggregate Amount of such Reduction	Estimated Cost Per Metre to be Rated
(a) Independent Concrete Curb (Sec. 12 L.I.A.) (Referred to in Sec. 6)									
LIMERIDGE ROAD E. (south side) from approx. 55 m (184') west of Kingfisher Dr. to approx. 49 m (161') E. of Kingfisher Dr.									
Estimated Subsidy: Nil		811-17	20	\$2,200.00	\$ 1,564.00	\$ 636.00	Nil	Nil	\$17.00
Estimated Net City's Share \$ 636.00 To be Financed from the 1981 Capital Levy									
(b) Independent Concrete Curb (Sec. 12 L.I.A.) (Referred to in Sec. 6)									
LIMERIDGE ROAD E. (north side) from approx. 25 m (82') west of Kingfisher Drive to approx. 32 m (105') westerly									
Estimated Subsidy: Nil		811-17	20	\$9,700.00	\$ 558.00	\$9,142.00	Nil	Nil	\$17.00
Estimated Net City's Share \$9,142.00 To be Financed from the 1981 Capital Levy									
(c) Combined Concrete Walk and Curb (Sec. 12 L.I.A.) (Referred to in Sec. 6)									
LIMERIDGE ROAD EAST (north side) from approx. 26 m (85') east of Kingfisher Dr. to approx. 23 m (75') easterly									
Estimated Subsidy: Nil		811-17	20	\$1,800.00	\$ 700.00	\$1,100.00	Nil	Nil	\$39.50
Estimated Net City's Share \$1,100.00 To be Financed from the 1981 Capital Levy									

- Estimated cost per metre increased by approx. 120% if debentured over 15 years.

DATED at Hamilton this day of A.D., 19

W. H. McFarland

Treasurer and Commissioner of Finance.

J. R. G. Leach

Commissioner of Engineering

REPORT ON LOCAL IMPROVEMENTS

To the Chairman and Members of the Transport and Environment Committee

Members of the Committee:

The following works are recommended to be undertaken as Local Improvements under "The Local Improvement Act".

Name of Street upon which work is to be Constructed	Between the following Streets or Points	Project Number	Estimated Lifetime of Work in Years	Estimated Gross Cost of Work	Share or Portion of Cost which should be Borne by the Lands Abutting directly on the Work to be Debentured	Share or Portion of the Lands Abutting directly on the Work to be Borne by the Corporation	Reduction Which Ought to be Made under Section 28 of the Act	Aggregate Amount of such Reduction	Estimated Cost Per Metre to be Rated
(d) Finished Roadway (Sec. 12 L.I.A.) (Referred to in Sec. 6)									
LIMERIDGE ROAD E. from approx. 56 m (184') west of the centre line of the intersection of Kingfisher Drive to approx. 49 m (161') east of the centre line of the intersection		811-17	20	\$37,000.00	\$ 5,290.00	\$31,710.00	Nil	Nil	\$57.50
Estimated Subsidy: \$7,500.00									
Estimated Net City's Share \$24,210.00 To be Financed from the 1981 Capital Levy									
(e) Finished Roadway and Concrete Curbs (Section 12 L.I.A.) (referred to in Sec. 6)									
HEMPSTEAD Dr. from approx. 152 m (499') west of Nebo Road to Unsworth Dr.		808-31H	20	\$131,000.00	\$29,532.00	\$101,468.00	\$34.50	50 m	\$69.00
Estimated Subsidy: Nil									
Estimated Net City's Share \$101,468.00 To be debentured over 15 years.									
(f) Finished Roadway and Concrete Curbs (Sec. 12 L.I.A.) (Referred to in Sec. 6)									
LANCING DRIVE from approx. 76 m (249') west of Nebo Road to Hempstead Drive.		812-22H	20	\$154,000.00	\$41,113.00	\$112,807.00	\$34.50	50 m	\$69.00
Estimated Subsidy: Nil									
Estimated Net City's Share \$112,807.00 To be debentured over 15 years.									

- Estimated cost per metre increased by approx. 120% if debentured over 15 years.

DATED at Hamilton this

day of

A.D., 19

W. H. McFarland

Treasurer and Commissioner of Finance.

J. R. G. Leach

Commissioner of Engineering

REPORT ON LOCAL IMPROVEMENTS

To the Chairman and Members of the Transport and Environment Committee

Members of the Committee:

The following works are recommended to be undertaken as Local Improvements under "The Local Improvement Act".

Name of Street upon which work is to be Constructed	Between the following Streets or Points	Project Number	Estimated Lifetime of Work in Years	Estimated Gross Cost of Work	Share or Portion of Cost which should be Borne by the Lands Abutting directly on the Work to be Debentured	Share or Portion of Cost which should be Borne by the Lands Abutting directly on the Work to be Debentured	Reduction Which Ought to be Made under Section 28 of the Act	Aggregate Amount of such Reduction	Estimated Cost Per Metre to be Rated
(g) Finished Roadway and Concrete Curbs (Sec. 12 L.I.A.) (Referred to in Sec. 6)									
UNSWORTH DRIVE from Upper Ottawa Street to Hempstead Drive		821-31H	20	\$112,000.00	\$25,530.00	\$86,470.00	Nil	Nil	\$69.00
Estimated Subsidy: Nil									
Estimated Net City's Share \$86,470.00 To be debentured over 15 years.									
(h) Independent Concrete Walk (Sec. 12 L.I.A.) (Referred to in Sec. 6)									
UPPER SHERMAN AVE. (west side) from approx. 38.5 m (126') north of Lapp Street to approx. 24 m (79') south of Lapp Street		821-33	20	\$ 4,000.00	\$ 2,528.00	\$ 1,472.00	Nil	Nil	\$33.00
Estimated Subsidy: Nil									
Estimated Net City's Share \$1,472.00 To be Financed from the 1981 Capital Levy									

- Estimated cost per metre increased by approx 20% if debentured over 15 years.

DATED at Hamilton this

day of

A.D., 19

W. H. McFarland

Treasurer and Commissioner of Finance.

J. R. G. Leach

Commissioner of Engineering

REPORT OF THE PERSONNEL COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its FOURTH Report for 1981 and respectfully recommends:

1. That the Hamilton Fire Department be permitted to train the Hamilton-Wentworth Regional Engineering Department employees in the practical use and operation of their self-contained breathing apparatus at the Simulated Fire and Rescue Complex. It is recommended that this training be done at no cost to the Regional Municipality of Hamilton Wentworth.
2. Approval of the following increase in rates as per the principal agreement between the Electrical Trade Bargaining Agency of the Electrical Contractors Association of Ontario and the International Brotherhood of Electrical Workers and the IBEW Construction Council of Ontario, Local Unions 105, 115, 120, 303, 339, 353, 530, 586, 594, 773, 804, 894, 1687 and 1739.

Local Union 105 - Hamilton

Duration of Agreement - May 1, 1980 - April 30, 1982

The wages and fringe benefits for Journeymen, Foremen, and Apprentices covered under the above mentioned agreement are as follows:

	<u>Date</u>	<u>Base Rate</u>	<u>V.P.& S.H.P.</u>	<u>Union* Funds</u>	<u>Wage Package</u>
Journeyman	May 5, 1980	\$15.63	1.56	.07	17.26
	May 1, 1981	\$16.76	1.68	.07	18.51
Foreman (10%)	May 5, 1980	\$17.19	1.72	.07	18.98
	May 1, 1981	\$18.44	1.84	.07	20.35
Apprentices indentured prior to May 5, 1978					
45 1st Period	May 5, 1980	\$ 7.03	.70	.07	7.80
55 2nd Period		\$ 8.60	.86	.07	9.53
65 3rd Period		\$10.16	1.02	.07	11.25
75 4th Period		\$11.72	1.17	.07	12.96
80 5th Period		\$12.50	1.25	.07	13.82

	<u>Date</u>	<u>Base Rate</u>	<u>V.P.& S.H.P.</u>	<u>Union* Funds</u>	<u>Wage Package</u>
45	1st Period May 1, 1981	\$ 7.54	.75	.07	8.36
55	2nd Period	\$ 9.22	.92	.07	10.21
65	3rd Period	\$10.89	1.09	.07	12.05
75	4th Period	\$12.57	1.26	.07	13.90
80	5th Period	\$13.41	1.34	.07	14.82

Apprentices indentured after May 5, 1978

40	1st Period May 5, 1980	\$ 6.25	.63	.07	6.95
50	2nd Period	\$ 7.82	.78	.07	8.67
60	3rd Period	\$ 9.38	.94	.07	10.39
70	4th Period	\$10.94	1.09	.07	12.10
80	5th Period	\$12.50	1.25	.07	13.82

40	1st Period May 1, 1981	\$ 6.70	.67	.07	7.44
50	2nd Period	\$ 8.38	.84	.07	9.29
60	3rd Period	\$10.06	1.01	.07	11.14
70	4th Period	\$11.73	1.17	.07	12.97
80	5th Period	\$13.41	1.34	.07	14.82

*Breakdown of Union Funds:

May 5, 1980: Health & Welfare - .07

3. Approval of the following increase in rates as per the collective agreement between the Ontario Erectors Association and the Ironworkers District of Ontario and International Association of Bridge, Structural and Ornamental Ironworkers, Local Unions 700, 721, 736, 759, 756 and 786.

Local 736 - Hamilton

Duration of Agreement - May 1, 1980 - April 30, 1982

The wages and fringe benefits for Journeyman Ironworkers, Riggers, Welders and Fence Erectors covered under the above mentioned agreement are as follows:

Local 736 - Journeyman Ironworker*, Rigger, Welder and Fence Erector

	<u>May 12, 1980</u>	<u>May 1, 1981</u>
Wages	\$13.30**	\$14.38**
Vac. & Holiday Pay	1.33	1.44
Welfare	.90	.95
Pension	1.00	1.00
Trade Improvement	.03	.03
District Council	.01	.02
	<u>\$16.57</u>	<u>\$17.82</u>

* This classification includes but is not limited to the following job titles: Machinery Movers, Window Mechanics, Precast Erectors, Pile Driver, Ornamental and miscellaneous Steel Erectors, Erector Mechanics (Hoist & Crane), Finishers (Window and Curtain Wall Installers); Sheeters, Layout Men, Field Fabricators, Structural Erectors.

** Wage rates shown above include twenty cents (20¢) for Locals 700, 721, 736, and 765 and fifteen cents (15¢) for Local 759 and Local 786 for Field Dues Assessments. (Article 31.1)

The Apprentice rates shall be as follows:

1st 1000 hours - 60% of the Journeyman Ironworker's rate
2nd 1000 hours - 70% of the Journeyman Ironworker's rate
3rd 1000 hours - 75% of the Journeyman Ironworker's rate
4th 1000 hours - 80% of the Journeyman Ironworker's rate
5th 1000 hours - 85% of the Journeyman Ironworker's rate
6th 1000 hours - 90% of the Journeyman Ironworker's rate

Foreman Rate - One Dollar (\$1.00) above the applicable Journeyman Rate.

General Foreman Rate - One Dollar and Fifty Cents (\$1.50) above the applicable Journeyman Rate.

4. Approval of the following increase in rates as per the collective agreement between the Rodmen Employer Bargaining Agency and the Rodmen Employee Bargaining Agency. (The Iron Workers District Council of Ontario, the International Association of Bridge, Structural and Ornamental Iron Workers, Local Unions 700, 721, 736, 759, 765 and 786.)

Local 736 - Hamilton

Duration of Agreement - May 1, 1980 - April 30, 1982

Rates of Wages - Rodmen and Rodmen Welders:

	<u>July 7/80</u>	<u>Oct. 1/80</u>	<u>May 1/81</u>	<u>Nov. 1/81</u>
Wages	\$12.78	\$12.78	\$13.38	\$13.38
Pension	.66	.66	1.00	1.00
Welfare	.86	.86	.86	.86
Vac. & Holiday Pay	1.28	1.28	1.34	1.34
Savings Plan	--	--	--	--
Trade Improvement Plan	.03	.03	.03	.03
	<hr/>	<hr/>	<hr/>	<hr/>
TOTAL WAGE PACKAGE	\$15.61	\$15.61	\$16.61	\$16.61
	<hr/>	<hr/>	<hr/>	<hr/>

The Apprentice rates shall be as follows:

- 1st 300 hours - 70% of the Journeyman's rate
- 2nd 300 hours - 80% of the Journeyman's rate
- 3rd 300 hours - 90% of the Journeyman's rate

Rates for Foreman and Sub Foreman (Pusher):

- Foreman - \$1.50 above Journeyman's rate
- Sub Foreman (Pusher) - \$1.00 above Journeyman's rate

5. Approval of the request of Local 288, I.A.F.F. to institute payment of premium (by the Association) for members who have retired (to age 65) Canada Life Major Medical as follows:
 - a) That the Association be allowed to pay the premiums for this identifiable group.
 - b) That payments be adjusted as outlined in Canada Life's letter of February 2, 1981.
 - c) That the Association supply the Personnel Department and Canada Life with a list of those retired employees to be covered.
6. That the following probationary period for non-union personnel be established:
 - a) In the case of a transfer or promotion, the probationary period be for 60 working days.
 - b) In the case of a new entry, the probationary period be six months.

RESPECTFULLY SUBMITTED,

ALDERMAN P. DRAGE, CHAIRMAN
PERSONNEL COMMITTEE

G. W. McMillan,
Secretary
March 4, 1981

Handwritten notes: "ndrl" and a checkmark.

MEETING OF CITY COUNCIL

March 31, 1981

A G E N D A

- A Finance Committee
- B Legislation Committee
- C Parks and Recreation Committee
- D Planning and Development Committee
- E Transport and Environment Committee
- F Personnel Committee

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:-

The Finance Committee presents its EIGHTH Report and respectfully recommends:-

1. Approval of the awarding of the following contract:-

(1) MACGILLIVRAY & CO., Hamilton, Ontario.

Audit fee for 1981.....\$ 48,000.00

2. That the Real Estate Department be authorized to make automatic renewal of existing leases already approved by City Council whenever, in the opinion of Department, that the rent payable requires upward adjustment due to inflationary factors and/or for tax increases. Renewal in all cases would remain subject to the priorities of all interested departments.
3. Section 8 of the Fifth Report of the Parks and Recreation Committee adopted by City Council February 24, 1981 requested the Finance Committee to recommend the financing of the sum of \$11,925.73 expended by the City on the Dundurn Castle Restaurant Project for consultant's fees and equipment purchase. The Finance Committee recommends that the sum of \$11,925.73 (now corrected to \$12,175.73) be added to the approved total of \$250,000.00 for the expanded dining room facilities at Dundurn Castle and that the sum of \$12,200.00 be provided from the Reserve for Capital Projects, Account No. 0280-27, to finance this additional amount.
4. Section 7 of the Eleventh Report of the Planning and Development Committee makes reference to the hiring of Laventhol & Howarth, Management Consultants, to make a study on how to attract a hotel developer/operator at a maximum fee of \$14,000.00. The Finance Committee recommends that this expenditure be financed by a transfer from the Contingency Account.

5. That the City of Hamilton take no direct intervention proceedings on the increases proposed by Bell Canada and that the City of Hamilton concur with the procedure being recommended to the Regional Council by the Regional Finance Committee with respect to the possibility of joining forces with the Consumers Association of Canada in their intervention proceedings.

RESPECTFULLY SUBMITTED,

ALDERMAN P. O. VALERIANO,
CHAIRMAN.

R. M. Collier, Secretary.
March 19, 1981.

REPORT OF THE LEGISLATION COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its SEVENTH Report and respectfully recommends:

GRANTS AND CIVIC HOSPITALITY

1. That a civic luncheon be provided to the Volunteer Ringettes and Hockey Coaches of the Hamilton Recreation Department. Estimated attendance, 550 persons.
2. That a grant in the amount of \$100.00 be made to the Canadian Citizenship Federation to assist in defraying expenses in connection with a luncheon as part of their Annual Conference to be held in the City of Hamilton from April 25 - 26, 1981. Estimated attendance, 60 delegates.
3. That a grant in the amount of \$500.00 be made to Dundurn Castle to assist in defraying expenses in connection with a reception to be held at Dundurn Castle in early May for a group visiting from the Scottish and Universal Newspapers Ltd. in Hamilton, Scotland. Estimated attendance, 100 persons.
4. Approval of the action of the Committee in authorizing a grant in the amount of \$150.00 to the Mount Hamilton Minor Hockey Association to defray expenses in connection with their Atom Friendship Tournament to be held in the City of Hamilton from March 27 - 29, 1981 at the Mountain Arena. Estimated attendance, 156 players.
5. That a grant in the amount of \$750.00 be made to the Canadian Association of Business Education Teachers to assist in defraying expenses in connection with their "Hamilton Day" dinner at their Annual Convention to be held in the City of Hamilton from April 24 - 26, 1981. Estimated attendance, 500 delegates.
6. That a grant in the amount of \$500.00 be made to the Hamilton Bears Hockey Tournament Association to assist in defraying expenses in connection with a luncheon as part of their Annual Tournament to be held in the City of Hamilton from April 24 - 26, 1981. Estimated attendance, 250 players.
7. Approval of the action of the Committee in authorizing a grant in the amount of \$175.00 to Drum Corps International to assist in defraying expenses in connection with a reception on March 23, 1981 at the Canadian Football Hall of Fame for 100 people involved in the Regional Drum Corps Championships to be held at Ivor Wynne Stadium on August 16, 1981.

CIVIC AWARDS

8. That civic awards be made to the following:
 - (a) Members of Leander Boat Club who brought honours to the City of Hamilton in 1980 by winning races at the Ontario Championships and Canadian Championships.

- (b) Members of the Hamilton Olympic Club who brought honours to the City of Hamilton in 1979 and 1980 by winning events at the Provincial Championships, Canadian Championships and the International Championships.
- (c) Miss Barbara Smith who won various Provincial, Canadian and International medals in Track & Field.
- (d) Mr. William McIntyre for winning the Five Pin Bowling Ontario Championship.
- (e) Members of the Hamilton and District Five Pin Bowlers' Association who won Provincial Bowling Championships on March 21, 1981.
- (f) Members of the Mohawk College Mens Volleyball, Womens Basketball, Mens Skiing Teams and Mr. Roland Brack for Cross Country Running who all won O.C.A.A. Championships during the 1980/81 season.

RESOLUTIONS

9. That the following resolutions be endorsed.

(a) City of Guelph

"THAT Whereas the annual tax levy for certain institutions permitted under Section 304 of The Municipal Act has not been increased since its inception,
AND Whereas the cost of providing services to the various institutions has increased considerably,
THEREFORE the Council of The Corporation of the City of Guelph petitions the Province of Ontario to increase the limit of \$50.00;
AND that copies of this resolution be forwarded to all cities in Ontario, and the Association of Municipalities in Ontario for endorsement."

(b) Ontario Humane Society

"The Minister of Natural Resources for Ontario is considering amending the present wildlife regulations to change the regulations which govern the keeping of wildlife in captivity.

The Minister is responsible only for native or indigenous wildlife. Animals which are imported to Ontario from other provinces or from outside of Canada do not come under his authority.

The Minister recently announced in a press release dated August 25, 1980, that he is considering introducing a licensing system which would authorize individuals and groups or organizations to keep wildlife in captivity under certain conditions.

The Ontario Humane Society has given careful consideration to the proposal and has decided to recommend to the Minister that this proposal should not be proceeded with for the following reasons:

1. We believe that the new system of licensing will be unenforceable and that, in any case, it will encourage a proliferation of wild animals in captivity, the majority of which will be quickly rejected when they are found to be unsuitable as pets and will be brought to the humane societies and public pounds for destruction. We object to the suffering and abuse which these animals undergo, whether voluntary or involuntary, perhaps caused, mainly, by ignorance of their requirements and behavioural traits. But in any case, we regret the inevitable task of having to destroy these animals. Far better, in our opinion, that they not be permitted to be taken into captivity in the first place, no matter how cute or attractive when they are young but, instead, be treated as wildlife and allowed to lead a normal life in the wild.

We also believe that this proliferation of wildlife will lead to increased wildlife populations in urban communities because we think that many of these animals will simply be turned loose when they are found to be a nuisance or unsuitable. We already have problems in most urban communities with skunks and raccoons which some people feel are either dangerous or undesirable. Not all people, of course, take such an extreme view but the fact remains that there is a demand from a segment of the public, in many communities, for 'control' of certain wild animals and 'control' merely means, in most cases, either live trapping and release, or killing the animals.

2. The proposal would lead to an increase in private zoos. There are already too many zoos that are underfunded, unable to provide proper and adequate care and accommodation for the animals. Most of these 'zoos' have a very limited life before going bankrupt. Almost invariably, the animals suffer in the period leading up to and during bankruptcy.
3. Rabies is not at the present time a serious disease as far as the pet animal population is concerned. However, there is a substantial amount of rabies present in the fox and skunk populations. Obviously the greater the number of these animals kept in captivity the greater the danger of an increase in rabies and, since many of these animals will become tame or semi-tame, the greater the danger of rabies spreading from these animals to the pet population. If we can keep rabies away from the dogs and cats the danger to the human population will be relatively small. But if rabies become seriously entrenched in the dog and cat populations, then the danger to humans will become extremely serious.

We recommend, therefore, that municipalities express their concern and opposition to the recommendations proposed at the present time by the Minister of Natural Resources and we urge municipalities to communicate their views on this subject directly to the Minister of Natural Resources."

10. That the following resolutions not be endorsed.

(a) City of Windsor

"WHEREAS Section 244(1) of The Municipal Act states:

'The Council of a local municipality shall not, after the day the poll is held for the election of the new council, or, where all members of council are elected by acclamation, after the day the candidates are declared elected under Section 50, pass a by-law, except a by-law with respect to an undertaking, work, project, scheme, act, matter or thing that has been approved by the Municipal Board, or resolution for, or that involves, directly or indirectly, the payment of money other than that provided in the estimates for the current year, or enter into any contract or obligation on the part of the corporation, or appoint to or dismiss from office any officer under the control of the council, or do any other corporate act, except in case of extreme urgency, or unless the act is one that the council is required by law to do or is one that the council is authorized to do by a resolution or by-law passed before the day the poll is held or the day the members of council are declared elected under Section 50, as the case may be.'

AND WHEREAS Section 9 of The Municipal Act stipulates that the term of office of a new Council commences on the December 1st after the election date,

AND WHEREAS this results in a 'lame duck' period of 3 to 4 weeks during which the municipal council is severely hindered in its ability to act in the best interests of the taxpayers,

AND WHEREAS municipal government is the only level of government thus hampered,

AND WHEREAS it is in the best interests of good municipal government to eliminate the 'lame duck' period, so that the municipality has at all times a Council with the power to act on matters of municipal concern,

THEREFORE BE IT RESOLVED that the Ontario Minister of Intergovernmental Affairs be petitioned to amend Section 9 of The Municipal Elections Act to provide for the term of office for a newly-elected Council to commence at the first regularly scheduled meeting one week following the date that the Chief Returning Officer announces the results of the election; and that any necessary amendments to The Municipal Act and The Municipal Elections Act be enacted to deal with the situation that could arise with recounts and ties; and further that other cities and the Association of Municipalities of Ontario be requested to endorse this request."

(b) City of Brampton

"THAT Council petition the Province of Ontario to standardize all purchase agreements for new homes to include, among other things, the right of the purchaser to withhold the statutory holdback required by the Mechanics' Lien Act and that copies of such petition be referred to our Local Members and all Municipalities with a population in excess of 75,000 people for endorsement."

11. That no action be taken on the following resolution.

(a) Township of Tilbury West

"WHEREAS the Government of Canada is in the process of making changes to the Constitution of Canada;

AND WHEREAS the Constitution of Canada guarantees certain basic rights to the citizens of Canada;

AND WHEREAS 'the right to own and to enjoy property' is one of the basic rights of a free Country;

THEREFORE BE IT RESOLVED that the Government of Canada be requested to ensure that the basic right 'to own and to enjoy property' be a part of the Canadian Constitution whether or not the Canadian Constitution is patriated from Great Britain."

LEGISLATION

12. That the City Solicitor be authorized and directed to prepare an amendment to the Second Level Lodging Houses By-law No. 80-259 to incorporate any changes being recommended by the Licence Committee and the Social Services Committee of Regional Council.

13. That leave be granted to introduce the following bills:

(a) Bill B-22 - By-law to amend By-law No. 80-259 on Second Level Lodging Houses.

(b) Bill B-23 - By-law to confirm proceedings of the Council of the Corporation of the City of Hamilton.

OTHER

14. That the Mayor be authorized to issue a proclamation proclaiming daylight saving time in the City of Hamilton from 12:01 a.m. Sunday, April 26, 1981 to 12:01 a.m. Sunday, October 25, 1981.

Respectfully submitted,

ALDERMAN J. MACDONALD, Chairman

S.G. Hollowell, Secretary
March 31, 1981
SGH/sma

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its EIGHTH Report for 1981 and respectfully recommends:

1. That the 1981 Membership and Green Fee Rates for the Chedoke Civic and King's Forest Civic Golf Courses, as set out in Schedule "A", attached, be approved.
2. That the 1981 rates for use of the Ivor Wynne Stadium, the Brian Timmis Stadium and major sports facilities, as set out in Schedule "A", attached, be approved.
3. That Alderman K. M. Edge, Chairman, or his nominee, be authorized to attend the 1981 Ontario Municipal Recreation Association Annual Conference, to be held in Belleville, Ontario, May 28 to 30, 1981.
- 4.(a) That the Corporation of the City of Hamilton commence expropriation proceedings to acquire the properties of Mr. and Mrs. L. Warren and known as 80 Victoria Avenue North, and a vacant parcel of land on the south side of Wilson Street, between Victoria Avenue North and East Avenue North, more particularly known as Part 8, Reference Plan 62R-4130.

NOTE: These properties are required for the Landsdale Neighbourhood Park.

- (b) That no action be taken to expropriate the property at 82 Victoria Avenue North, which is owned and occupied by Mr. and Mrs. L. Warren.

Respectfully submitted,

ALDERMAN K. M. EDGE, CHAIRMAN
PARKS AND RECREATION COMMITTEE

J. J. Schatz, Secretary
March 12th, 1981

(B) GREEN FEES

<u>COURSE</u>	<u>CATEGORY</u>	<u>1980 FEE</u>	<u>1981 FEE</u>
<u>CHEDOKE</u>			
Martin	18 Hole - Weekday	\$6.00	\$ 7.00
	Weekend/ Holiday	\$7.00	\$ 8.00
	9 Hole - Weekday	\$4.00	\$ 5.00
	Week-end/ Holiday	\$5.00	\$ 6.00
	Pensioner	\$4.00	\$ 4.00
<u>CHEDOKE</u>			
Beddoe	18 Hole - Weekday	\$8.00	\$ 9.00
	Weekend/ Holiday	\$9.00	\$10.00
	9 Hole Weekday	\$6.00	\$ 7.00
	Weekend/ Holiday	\$7.00	\$ 8.00
	Pensioner	\$5.00	\$ 6.00
<u>KING'S FOREST</u>			
	18 Hole - Weekday	\$8.00	\$10.00
	Weekend/ Holiday	\$9.00	\$10.00
	9 Hole- Weekday	\$6.00	\$ 8.00
	Weekend/ Holiday	\$7.00	\$ 8.00
	Pensioner	\$5.00	\$ 6.00

March 5, 1981

PROPOSED FEE SCHEDULE - 1981

Schedule "A" - Item 1 of
the Eighth Report of the
Parks and Recreation Committee

Chedoke and King's Forest Golf Courses

(A) MEMBERSHIP

CHEDOKE

CATEGORY	1980 FEES	INCREASE	1981 FEES	
			RESIDENT	NON-RESIDENT
Senior Men	\$155.00	\$10.00	\$165.00	\$198.00
Senior Ladies	\$150.00	* \$15.00	\$165.00	\$198.00
Couples	\$270.00	* \$25.00	\$295.00	\$355.00
Pensioners	\$ 80.00	\$ 5.00	\$ 85.00	\$102.00
Intermediates	\$110.00	\$10.00	\$120.00	\$145.00
Juniors	\$82.00	\$ 5.00	\$ 87.00	\$105.00

*Chedoke Ladies Fee increase represents an additional \$5.00 to cover the cost of the mandatory purchase of C.L.G.A. Card and has been incorporated at request of Ladies Games Committee.

KING'S FOREST

CATEGORY	1980 FEES	INCREASE	1981 FEES	
			RESIDENT	NON-RESIDENT
Senior Men	\$215.00	\$5.00	\$220.00	\$264.00
Senior Ladies	\$205.00	\$5.00	\$210.00	\$252.00
Couples	\$380.00	\$10.00	\$390.00	\$468.00
Pensioners	\$105.00	Nil	\$105.00	\$126.00
Intermediates	\$140.00	\$5.00	\$145.00	\$175.00
Juniors	\$125.00	Nil	\$125.00	\$150.00

March 5, 1981

D

RENTAL RATES AND FEES

I V O R W Y N N E S T A D I U M

Schedule "B" - Item 2 of the
Eighth Report of the Parks
and Recreation Committee.

(A) SPORTS EVENTS

	<u>DAY USE</u>		<u>WEEKDAYS</u>		<u>LIGHTING</u>		<u>DAY USE</u>		<u>WEEK-ENDS AND HOLIDAYS</u>	
	<u>existing</u>	<u>proposed</u>	<u>existing</u>	<u>proposed</u>	<u>existing</u>	<u>proposed</u>	<u>existing</u>	<u>proposed</u>	<u>existing</u>	<u>proposed</u>
Professional Sports (exclusive of Tiger Cats)	\$200 min. or 15% of gate receipts	\$300 min. or 15% of gate receipts	\$400 min. or 15% of gate receipts	\$600 min. or 15% of gate receipts	\$275 min. or 15% of gate receipts	\$420 min. or 15% of gate receipts	\$475 min. or 15% of gate receipts	\$710 min. or 15% of gate receipts		
Semi-Professional Events	\$150 min. or 25% of gate receipts	\$225 min. or 25% of gate receipts	\$250 min. or 25% of gate receipts	\$375 min. or 25% of gate receipts	\$150 min. or 25% of gate receipts	\$225 min. or 25% of gate receipts	\$250 min. 25% of gate receipts	\$375 min. or 25% of gate receipts		
Amateur (Adult) Soccer/Football	\$100 min. or 20% of gate receipts	\$125 min. or 20% of gate receipts	\$200 min. or 20% of gate receipts	\$250 min. or 20% of gate receipts	\$100 min. or 20% of gate receipts	\$125 min. or 20% of gate receipts	\$200 min. or 20% of gate receipts	\$250 min. or 20% of gate receipts		
Minor Sports	\$100 min. or 15% of gate receipts	\$115 min. or 15% of gate receipts	\$200 min. or 15% of gate receipts	\$230 min. or 15% of gate receipts	\$100 min. or 15% of gate receipts	\$115 min. or 15% of gate receipts	\$200 min. or 15% of gate receipts	\$230 min. or 15% of gate receipts		
(**RENTAL RATE OR PERCENTAGE RATE, WHICHEVER IS GREATER)										
Boards of Education Interscholastic Sports - Regular Games	\$150	\$170	N/A	See Below	\$150 min. or 15% of gate receipts	\$170 min. or 15% of gate receipts	N/A	See Below		
- Finals	\$150 min. or 15% of gate receipts	\$170 min. or 15% of gate receipts	\$250 min. or 15% of gate receipts	\$290 min. or 15% of gate receipts	\$150 min. or 15% of gate receipts	\$170 min. or 15% of gate receipts	\$250 min. or 15% of gate receipts	\$290 min. or 15% of gate receipts		
Exhibition Games (no fans)	\$50	\$60	See Below	See Below	\$50	\$60	See Below	See Below		
Amateur/Minor Groups										
Practices	\$25	\$30	See Below	See Below	\$25	\$30	See Below	See Below		
Field Lighting Games and Practices (not specified above)	Full Lights (8 banks) \$100	EXISTING 1/2 Lighting (4 banks) \$50	1/4 Lighting (2 banks) \$25		<u>PROPOSED</u>					
					Boards of Education	\$115	Full Lights	1/2 Lighting	1/4 Lighting	
					Amateur Adults	\$125				
					Semi Pro/ Pro	\$150				

RENTAL RATES AND FEES - IVOR WYNNE STADIUM

Schedule "B" - Item 2 of the
Eighth Report of the Parks
and Recreation Committee.

PAGE 2

(B) SPECIAL EVENTS

	<u>Existing</u>	<u>Proposed</u>
Community Organizations (no gate receipts)	\$ 700	\$ 700
Community Organizations (ticket sales)	\$ 700	\$ 700 min. or 20% of gate receipts
Non Profit Organizations	Negotiable	\$2,000
Profit/Commercial Organizations	Negotiable	Negotiable, subject to approval of Council
(**RENTAL RATE OR PERCENTAGE RATE, WHICHEVER IS GREATER)		
(C) <u>GREEN ROOM - (Reception Area)</u>		
Community Organizations (no gate receipts)	-	\$25
Community Organizations (ticket sales)	-	\$25
Non Profit Organizations	-	\$50
Commercial Organizations	-	\$75

RENTAL RATES AND FEES

BRIAN TIMMIS STADIUM

Schedule "B" - Item 2 of the
Eighth Report of the Parks
and Recreation Committee.

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	<u>DAY USE</u>		<u>WEEKDAYS</u>		<u>LIGHTING</u>		<u>WEEK-ENDS AND HOLIDAYS</u>	
	<u>existing</u>	<u>proposed</u>	<u>existing</u>	<u>proposed</u>	<u>existing</u>	<u>proposed</u>	<u>existing</u>	<u>proposed</u>
Semi Professional Event	\$50 min. or 15% of gate receipts	\$75 min. or 15% of gate receipts	\$60 min. or 15% of gate receipts	\$90 min. or 15% of gate receipts	\$70 min. or 15% of gate receipts	\$105 min. or 15% of gate receipts	\$80 min. or 15% of gate receipts	\$120 min. or 15% of gate receipts
Amateur Sports Groups (Adults)	\$25 min. or 20% of gate receipts	\$35 min. or 20% of gate receipts	\$35 min. or 20% of gate receipts	\$45 min. or 20% of gate receipts	\$25 min. or 20% of gate receipts	\$35 min. or 20% of gate receipts	\$35 min. or 20% of gate receipts	\$45 min. or 20% of gate receipts
Minor Sports Groups	\$25 min. or 15% of gate receipts	\$35 min. or 15% of gate receipts	\$35 min. or 15% of gate receipts	\$45 min. or 15% of gate receipts	\$25 min. or 15% of gate receipts	\$35 min. or 15% of gate receipts	\$35 min. or 15% of gate receipts	\$45 min. or 15% of gate receipts
Boards of Education (Interscholastic Program)	\$35 Flat Rate	\$45 Flat Rate						
Exhibition Games (no spectators)	\$10	\$15	\$20	\$30	\$10	\$15	\$20	\$30
Practice	\$5	\$10	\$10	\$20	\$5	\$10	\$10	\$20

(**RENTAL RATE OR PERCENTAGE RATE, WHICHEVER IS GREATER)

RENTAL RATES AND FEES

MAJOR SPORTS FACILITIES

Schedule "B" - Item 2 of the
Eighth Report of the Parks
and Recreation Committee.

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MOHAWK SPORTS COMPLEX/BERNIE ARBOUR STADIUM

(4 HOUR PERIOD)	<u>DAY USE</u>		<u>WEEKDAYS</u>		<u>LIGHTING</u>		<u>DAY USE</u>		<u>WEEK-ENDS AND HOLIDAYS</u>	
	<u>existing</u>	<u>proposed</u>	<u>existing</u>	<u>proposed</u>	<u>existing</u>	<u>proposed</u>	<u>existing</u>	<u>proposed</u>	<u>existing</u>	<u>proposed</u>
Adult	\$25 min. or 15% of gate receipts	\$35 min. or 15% of gate receipts	\$40 min. or 15% of gate receipts	\$50 min. or 15% of gate receipts	\$40 min. or 15% of gate receipts	\$50 min. or 15% of gate receipts	\$55 min. or 15% of gate receipts	\$70 min. or 15% of gate receipts		
Minor	\$15 min. or 15% of gate receipts	\$25 min. or 15% of gate receipts	\$25 min. or 15% of gate receipts	\$35 min. or 15% of gate receipts	\$25 min. or 15% of gate receipts	\$35 min. or 15% of gate receipts	\$35 min. or 15% of gate receipts	\$45 min. or 15% of gate receipts		
Practice	\$10	\$15	\$25	\$40	\$15	\$30	\$30	\$45		
(**RENTAL RATE OF PERCENTAGE RATE, WHICHEVER IS GREATER)										
<u>H.A.A.A. GROUNDS</u>										
(4 HOUR PERIOD)			<u>WEEKDAYS</u>				<u>WEEK-ENDS AND HOLIDAYS</u>			
	<u>existing</u>	<u>proposed</u>	<u>existing</u>	<u>proposed</u>	<u>existing</u>	<u>proposed</u>	<u>existing</u>	<u>proposed</u>	<u>existing</u>	<u>proposed</u>
Games and Practices:										
Change House (1 dressing room)		\$10		\$15		\$15		\$20		\$20
Change House (2 dressing rooms)		\$15		\$25		\$20		\$30		\$30
Minimal Lights		\$10		\$15		\$10		\$15		\$15
Maximum Lights		\$30		\$45		\$30		\$45		\$45

RENTAL RATES AND FEES - MAJOR SPORTS FACILITIES

Schedule "B" - Item 2 of the
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SACKVILLE HILL PARK

	<u>DAY USE</u>		<u>WEEKDAYS</u>		<u>LIGHTING</u>		<u>WEEK-ENDS AND HOLIDAYS</u>		<u>LIGHTING</u>	
	<u>existing</u>	<u>proposed</u>	<u>existing</u>	<u>proposed</u>	<u>existing</u>	<u>proposed</u>	<u>existing</u>	<u>proposed</u>	<u>existing</u>	<u>proposed</u>
(4 HOUR PERIOD)										
Adult	\$15	\$25	-	-	-	-	\$20	\$30	-	-
Minor	\$10	\$15	-	-	-	-	\$15	\$25	-	-
Practice (Adults)	\$10	\$15	-	-	-	-	\$15	\$25	-	-

VICTORIA PARK

	<u>DAY USE</u>		<u>WEEKDAYS</u>		<u>LIGHTING</u>		<u>WEEK-ENDS AND HOLIDAYS</u>		<u>LIGHTING</u>	
	<u>existing</u>	<u>proposed</u>	<u>existing</u>	<u>proposed</u>	<u>existing</u>	<u>proposed</u>	<u>existing</u>	<u>proposed</u>	<u>existing</u>	<u>proposed</u>
(4 HOUR PERIOD)										
Adult	\$20 min. or 15% of gate receipts	\$25 min. or 15% of gate receipts	\$35 min. or 15% of gate receipts	\$45 min. or 15% of gate receipts	\$30 min. or 15% of gate receipts	\$40 min. or 15% of gate receipts	\$45 min. or 15% of gate receipts	\$55 min. or 15% of gate receipts	\$40 min. or 15% of gate receipts	\$50 min. or 15% of gate receipts
Minor	\$15 min. or 15% of gate receipts	\$20 min. or 15% of gate receipts	\$30 min. or 15% of gate receipts	\$40 min. or 15% of gate receipts	\$25 min. or 15% of gate receipts	\$30 min. or 15% of gate receipts	\$40 min. or 15% of gate receipts	\$50 min. or 15% of gate receipts	\$30 min. or 15% of gate receipts	\$40 min. or 15% of gate receipts
Practice	\$10	\$15	\$20	\$25	\$15	\$20	\$25	\$30	\$20	\$30

(**RENTAL RATE OR PERCENTAGE RATE, WHICHEVER IS GREATER)

RENTAL RATES AND FEES

DUNDURN PARK PAVILLION

Schedule "B" - Item 2 of the
Eighth Report of the Parks
and Recreation Committee.

DUNDURN PARK PAVILLION

Administration for co-ordination
of Special Events

EXISTING

PROPOSED

-

\$15.00

GAGE PARK BANDSHELL

Rental

-

\$25.00

ADMINISTRATIVE FEE(CANCELLATION/LATE PAYMENT)

Includes all facilities

-

\$15.00

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its ELEVENTH Report and respectfully recommends:-

1. That approval be given to Zoning Application 80-56, Sackville Hill Builders Supplies Limited, owner, to establish a change in zoning and modifications to the Zoning Regulations with respect to property located at #1774 to #1780 King Street East, as shown on the attached plan marked as APPENDIX "A" attached, on the following basis:

- 1) that part of the lands described as Block 1 be rezoned from "C" (Urban Protected Residential etc.) District to "H" (Community Shopping and Commercial, etc.) District;
- 2) that the "H" District provisions as contained in Section 14 of By-law 6593 applicable to the lands described as Blocks 1 and 2, be modified to include the following variances and restrictions:
 - i) that notwithstanding Section 18(3)(iv)(d) of By-law 6593, off-street parking shall be provided on the basis of 3 parking spaces per 93.0 sq. m. of gross floor area of the building, with an exemption for the first 280.0 sq. m. and such parking shall be provided at grade level only.
 - ii) that no commercial uses other than accessory parking for the principal use and one ground or pylon sign be permitted within 30.0 m of Lawrence Road;
 - iii) that a 3.0 m wide planting strip and a 1.2 m to 2.0 m high closed fence be provided and maintained adjacent to any abutting residential district, and that a 1.5 m wide planting strip be provided and maintained across the "H" District lands fronting on Lawrence Road, save and except the area required for access driveway purposes;
- 3) that the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-742, and that the subject land on Zoning District Map E-66 be notated S-742;
- 4) that the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map E-66 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk;
- 5) that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;

- 6) that the By-law 79-275 establishing site plan control be amended by adding to Schedule "B" the lands described on the Plan marked as APPENDIX "A" attached, and that the City Solicitor be directed to prepare a by-law accordingly.

EXPLANATORY NOTE

The by-law will provide for a change in zoning from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District of properties located at #1774 and #1780 King Street East, as shown on Zoning District Map E-66. (Block 1)

The purpose of the change in zoning is to permit commercial development on the property in conjunction with the adjoining lands already zoned "H" (Community Shopping and Commercial, etc.) District. (Block 2)

The "H" District provisions applicable to the development of the site include a modification to establish site plan control, and to establish special by-law provisions.

2. That approval be given to Zoning Application 81-07, Texaco Canada Inc., owner, to establish a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District of the westerly part of property located at #645 York Boulevard, as shown on the attached plan marked as APPENDIX "B", on the following basis:

- i) that the subject land described as Block 1 be rezoned from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District, modified to include the restrictions and variances applicable to the development of land on York Boulevard, as set out in Subsections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, of Section 7 of By-law 76-233 (as amended);
- ii) that the subject land be used only for commercial purposes in conjunction with the adjoining land described as Block 2 at the north-west corner of York Boulevard and Woodbine Crescent;
- iii) that the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S743 and that the subject land on Zoning District Map W-21 be notated S743.
- iv) that By-law 79-275 establishing site plan control be amended by adding to Schedule "B" the lands described on the plan marked as APPENDIX "B" attached, and that the City Solicitor be directed to prepare a by-law accordingly;
- v) that the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map W-21 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk;
- vi) that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;

- vii) that the Minister of Housing be requested to modify the New Official Plan (presently before the Ministry for approval) for the City of Hamilton to redesignate the subject lands from residential to commercial.

EXPLANATORY NOTE

The By-law will provide for a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District of rear lands (Block 1) forming part of a parcel of land located at #645 York Boulevard, the location of which is shown on Zoning District Map W-21.

The purpose of the change is to permit this land to be used in conjunction with commercial site (Block 2) at the north-west corner of York Boulevard and Woodbine Crescent.

3. That approval be given to Zoning Application 81-08, Ontario Land Corporation, owners, to establish a change in zoning from "RT-20" (Townhouse and Maisonette) District to "C" (Urban Protected Residential - Single Family dwellings, etc.) District, of lands located in the area north of the proposed Mountain Freeway and east of Upper Paradise Road as shown on the Plan marked as APPENDIX "C" attached, on the following basis:

- i) that the subject lands be rezoned from "RT-20" (Townhouse and Maisonette) District to "C" (Urban Protected Residential - Single Family Dwellings, etc.) District;
- ii) that the City Solicitor be authorized and directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map W-27A, and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk;
- iii) that the Gilbert Neighbourhood Plan be amended accordingly;
- iv) that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
- v) that as a condition of rezoning of the lands, the applicant register on title a warning clause to inform a prospective purchaser that the issuance of a building permit and construction of a building can only take place on two abutting lots which must be registered in the same name in order to constitute a building lot in conformity with the "C" District provisions.

EXPLANATORY NOTE

The by-law will provide for a change in zoning from "RT-20" (Townhouse and Maisonette) District to "C" (Urban Protected Residential - Single Family Dwellings, etc.) District to permit single family residential development on vacant land in the area north of the proposed Mountain Freeway and east of Upper Paradise Road.

4. That approval be given to Zoning Application 81-09, Ontario Land Corporation, owner, for a modification to the zoning regulations applicable to lands located in the area north of the proposed Mountain Freeway and east of Upper Paradise Road, as shown on the Plan marked as APPENDIX "D" attached, on the following basis:

- i) that the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District Regulations applicable to the subject land be modified so as to permit the following variances and restrictions:
 - a) that notwithstanding Section 10(3)(ii) of By-law 6593, no side yard shall be required along one side of each lot, except that a minimum side yard of 1.2 metres shall be provided and maintained along a flankage side abutting a street and along any side of a lot abutting any other residential district;
 - b) that notwithstanding Section 10(4)(i) of By-law 6593, a lot for a single family dwelling shall have a minimum width of 9.0 metres and a minimum lot area of 278 square metres;
 - c) that notwithstanding Section 10(1)(iii) of By-law 6593, development of townhouses shall not be a permitted use;
- ii) that the amending By-law be added to Section 19(B) of the Zoning By-law as Schedule S-744, and that the subject land on Zoning District Map W-27A be notated S-744;
- iii) that the City Solicitor be directed to prepare a By-law to amend Zoning By-law 6593 and Zoning District Map W-27A and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk;
- iv) that as a condition of rezoning of the lands, the applicant register on title a notice to inform a prospective purchaser that an easement along each reduced side yard should be provided for maintenance purposes;
- v) that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE

The purpose of the by-law is to amend the established "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District provisions to permit "zero lot line" single family detached dwellings on lots having a minimum lot frontage of 9.0 metres (30 feet), a minimum lot area of 278 square metres (3,000 square feet) and no side yard on one side only.

This by-law applies to vacant lands located in the area north of the proposed Mountain Freeway and east of Upper Paradise Road.

5. That approval be given to City Initiative 81-H to amend the respective zoning by-laws applicable to those lands within the York Boulevard Redevelopment Area, as shown on the plan marked APPENDIX "E" attached, on the following basis:

- i) notwithstanding the provisions of clause (xvi) of subsection (1) of section 14 ("H" District) of By-law No.6593, only the following signs shall be permitted:

Business Identification Signs that are wall signs or ground signs of an occupancy or use, that comply with the following requirements:

- a) no sign shall exceed 2.0 metres in height.
 - b) the total aggregate area of all the signs shall not exceed 0.5 square metres for each 0.5 metres of total street frontage on which the building abuts.
 - c) every wall sign shall be parallel to the wall to which it is affixed.
 - d) no sign shall be illuminated unless the source of light is steady and suitably shielded to contain the illumination.
- ii) That the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-745 and that the subject lands on Zoning District Maps W-4, W-11, W-12 and W-21 be notated S-745.
 - iii) That the provisions as set out under i) of recommendation number 1 shall also apply to Zoning Application 81-07.
 - iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Maps W-4, W-11, W-12 and W-21, and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
 - v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE

This by-law will provide for a modification to the "H" (Community Shopping and Commercial, etc.) District Zoning Regulations applicable to properties within the York Boulevard Redevelopment Area, the location of which is shown on Zoning District Maps W-4, W-11, W-12 and W-21, so as to provide special regulations for the erection of signs with respect to size and type.

6. a) That approval be given to Application SA 80-04, John Petis, owner, to establish a draft plan of subdivision located south of Limeridge Road East and east of the future Upper Kenilworth Avenue, as shown on the plans attached, subject to the following conditions and requirements:
 - 1) that this approval applies to the plan prepared by Lau Associates dated September 1980, showing 43 lots.

- 2) that the road allowances shown on the approved copies of the draft plan be dedicated as public highways on the final plan.
 - 3) that the streets be named to the satisfaction of the Regional Municipality of Hamilton-Wentworth and the City of Hamilton.
 - 4) that the owner convey land in the amount of 5% of the land included in the plan to the municipality for park purposes pursuant to the provisions of Section 33(5)(a) of The Planning Act. Alternatively, the City may require a cash payment in lieu of conveying land in the amount of 5% of the land included in the plan to the municipality for park purposes.
 - 5) that the proposed subdivision conforms with the restricted area by-law for the City of Hamilton approved by the Ontario Municipal Board under Section 35 of The Planning Act.
 - 6) that such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
 - 7) that the owner provide the City of Hamilton and the Region with a certified list showing the net area of each lot in the final plan
 - 8) that all hydro utilities be installed underground.
 - 9) that the owner satisfy the requirements of The Canadian National Railway.
 - 10) that no portion of the subject plan be registered prior to the granting of approval by both City and Regional Council for the installation of full urban services on the future Upper Kenilworth Avenue and extending from Limeridge Road to the south limit of this property.
 - 11) that the owner agrees in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the Owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to Application SA 80-04, "Trenholme Survey", draft plan of subdivision and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by the City Council.

7. That the firm of Laventhol and Horwath be retained to proceed with a project to identify those factors which are favourable to attracting a Hotel Developer/Operator to lease the Civic Square site for a fee not to exceed \$14,000.00 and that the Finance Committee be requested to recommend the method of financing this expenditure.

8. That the Building Commissioner be authorized to issue demolition permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:-

313 Hawkrige

7 Margaret Street

9. Approval of the payment of an account in the amount of \$3,586.97 to Mr. Frank Bozel or as per his direction, in settlement of the fees and interest he incurred with W. R. Kellough and Associates Inc. who acted as his appraisers regarding the expropriation of 139 York Street and all other remaining costs. This amount should be charged to Account No.0405-Y99986 - York Street Urban Renewal.

10. Approval of the leasing of the City-owned vacant lot at 22 Tiffany Street to Mrs. Victoria Italiano, 16 Tiffany Street, at an annual rental of \$305.00 including taxes, commencing May 1, 1981 for landscaping and parking purposes, and that the City Solicitor be authorized and directed to prepare the necessary lease. The area to be leased must be surfaced with a proper concrete approach and gravelled to the satisfaction of the City Engineer, at the expense of the lessee.

11. Approval of the sale of Part 1, Plan 62-R-4211 being the north half of Lot 35 in Hamilton Mountain Industrial Park No.1, having a frontage on Hempstead Drive of 150' by a depth of 120.97'/74.46', to S. and J. Food Distributors Ltd. for the sum of \$30,000.00. Cash deposit \$3,000.00 - balance on closing of sale which shall be on or before April 3, 1981.

12. Approval of an agreement by the owner to accept compensation from the Estate of Louis Borata and Julia Borata for the purchase by the City of all interests in the real property known as #96 King Street West having a frontage on the north side of King Street of 19.65' and containing an area of 2,015 sq. feet for the total sum of \$60,990.00. Cash on closing of sale which shall be on or before the 30th day of April 1981.

13. Approval of the list of applicants submitted herewith and authorization for the Department of Community Development to process grants and/or loans in an amount not to exceed \$7,500.00 with the actual amount of grant or loan to be determined by inspection of the property under the Property Standards By-law 74-74 and pursuant to the Housing Development Act regulation 688/74.

That the officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme:

(see over)

- | | |
|---|--|
| 1. G. Munro
51 Fairholt Road S. | 11. E. Warren
199 Inverness Ave. E. |
| 2. H. Duffey
21 Province St. N. | 12. W. Digmann
46 Burlington St. E. |
| 3. E. Price
1398 Upper Wellington Street | 13. H. Southward
99 Norwood Road |
| 4. M. Turza
5 Dorset Place | 14. A. Bobolo
163 Bond Street N. |
| 5. M. Walsh
7 Haddon Ave. N. | 15. I. Andrus
393 Upper Wentworth St. |
| 6. B. Billone
235 Queen St. N. | 16. L. Weintrop
56 Bond Street S. |
| 7. D. Conroy
276 Vansitmart Ave. | 17. E. Olivieri
179 Fernwood Crescent |
| 8. E. Conway
59 Barclay St. | 18. M. Lekic
25 Cluny Ave. |
| 9. R. Poole
107 Stroud Road | 19. E. Perlstein
93 Haddon Ave. S. |
| 10. M. Cupido
48 Parkside Drive | 20. F. Waters
255 Charlton Avenue E. |

14. Approval of the list of applicants submitted herewith and authorization for the Department of Community Development to process grants and/or loans in an amount not to exceed \$7,500.00 with the actual amount of grant or loan to be determined by inspection of the property under the Property Standards By-law 74-74 and pursuant to the Housing Development Act regulation 688/74.

That the officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Hamilton Rehabilitation Programme:

1. C. Unelli
55 Howe Avenue

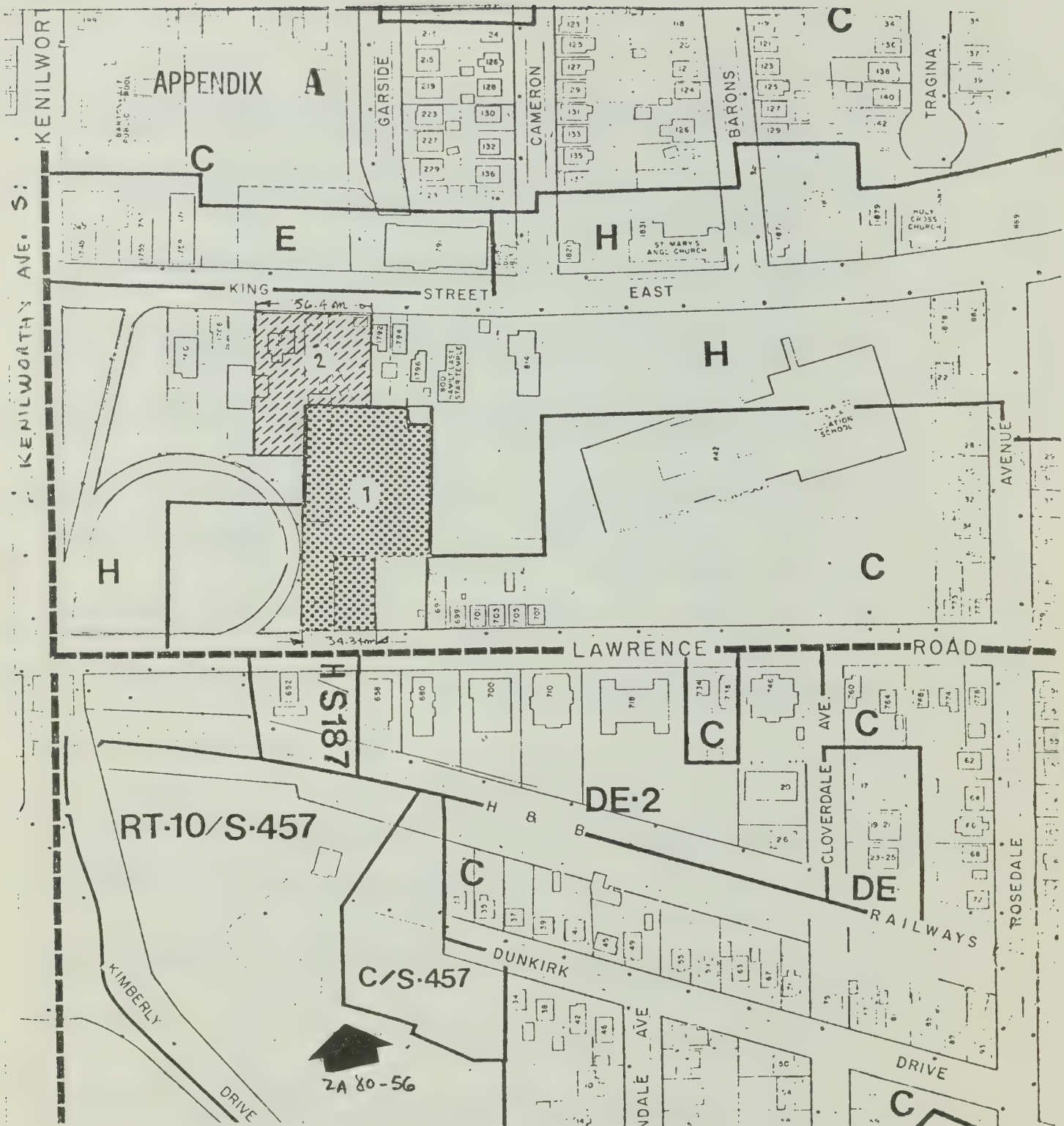
15. That the City Solicitor be authorized and directed to continue enforcement procedures of His Honour Judge Stayshyn's Order of November 5, 1980 regarding the property at 178 Fairleigh Avenue South - Miss Doris Clancy.

- (b) D-37 - By-law to amend Zoning By-law 6593 respecting land located at Municipal Nos. 1067, 1073, 1081, 1085 and 1093 Rymal Road East
- (c) D-38 - By-law to amend Zoning By-law 6593 respecting land located on the east side of the proposed extension of Gafney Drive, north of Stone Church Road West
- (d) D-39 - By-law to amend Zoning By-law 6593 respecting Automobile Service Stations and other Public Garages
- (e) D-40 - By-law to amend By-law 78-113 respecting Increase in Family Income (By-law 78-113 relates to the Ontario Home Renewal Programme)
- (f) D-41 - By-law to amend Zoning By-law 6593 respecting land located between Benson Avenue and Kenilworth Avenue North, south of Beach Road
- (g) D-42 - By-law to establish Site Plan Control respecting land located between Benson Avenue and Kenilworth Avenue North, south of Beach Road
- (h) D-43 - By-law to amend Zoning By-law 75-61 respecting land located at Municipal Number 31 Cannon Street East
- (i) D-44 - By-law to amend Zoning By-law 6593 respecting land comprised of the westerly part of the property located at Mun.No.645 York Boulevard
- (j) D-45 - By-law to repeal Zoning By-law 81-51 respecting land located at Municipal Number 80 Jones Street
- (k) D-46 - By-law to amend Zoning By-law 6593 respecting land located at Municipal Number 80 Jones Street
- (l) D-47 - By-law to amend Zoning By-law 6593 respecting land located at Municipal Numbers 80, 84 and 88 Century Street
- (m) D-48 - By-law to amend Zoning By-law 6593 respecting land located at Municipal Number 952 King Street East
- (n) D-49 - By-law to provide for a Grant for Repairs respecting Municipal Number 47 Madison Avenue
- (o) D-50 - By-law to establish Site Plan Control respecting land located at Municipal No.645 York Boulevard
- (p) D-51 - By-law to amend Zoning By-law 6593 respecting lands located on York Boulevard extending easterly to Bay Street North

Respectfully submitted

JDT:bg
March 17, 1981

Alderman W. M. McCulloch, Chairman
Planning and Development Committee



LEGEND

Lands for which the following is proposed:

APPENDIX A



Block 1

Change in zoning from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District, (modified).



Block 2

Change in zoning from "H" (Community Shopping and Commercial, etc.) District to "H" (Community Shopping and Commercial, etc.) District, (modified).

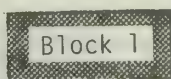
D-10

APPENDIX B



LEGEND

Lands for which the following is proposed:



Block 1

Change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District (modified).



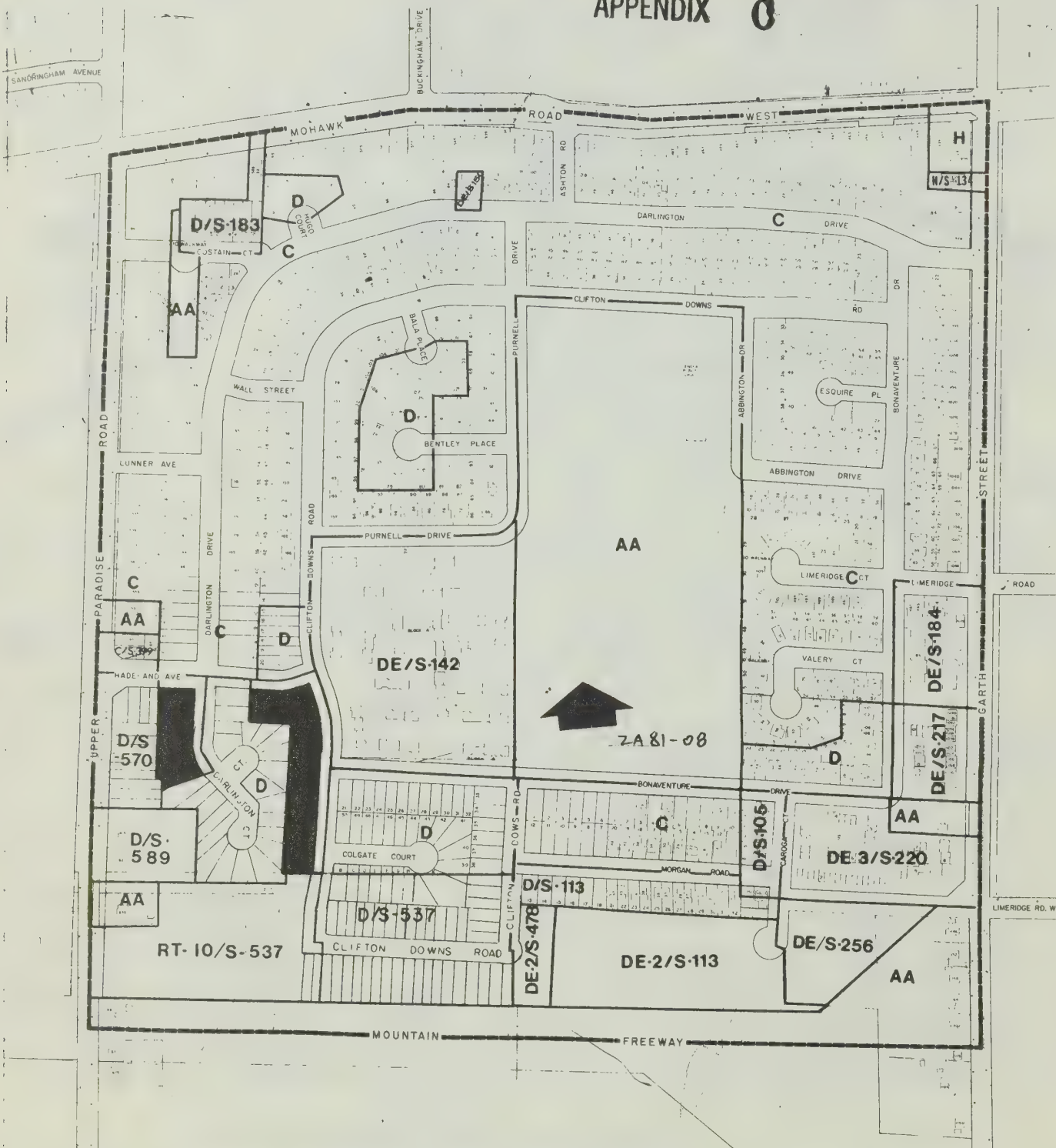
Block 1

Block 2

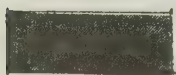
Lands to be re-developed for an automobile service station.

APPENDIX B

APPENDIX C



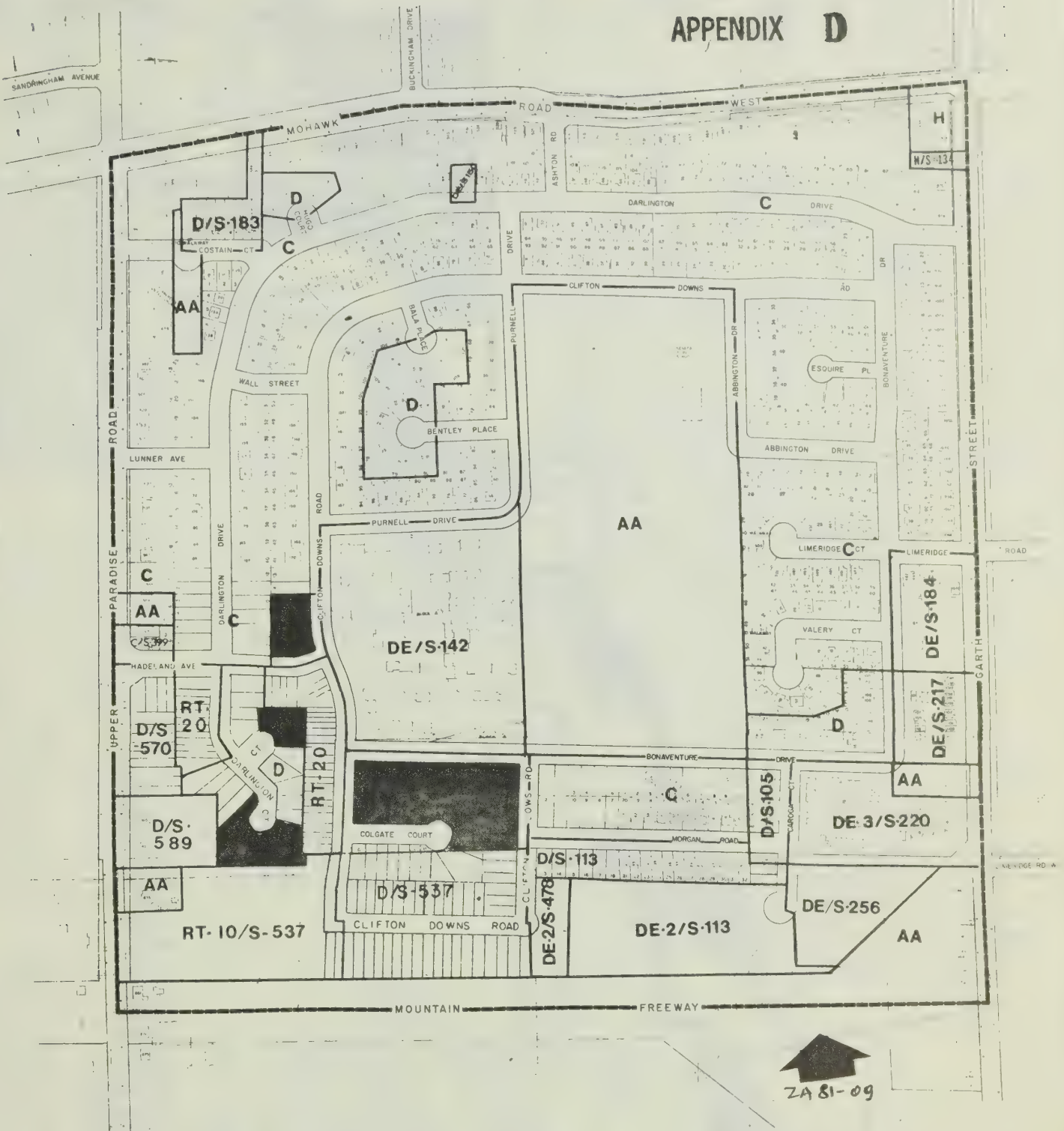
LEGEND



Change in zoning from "RT-20" (Townhouse - Maisonette) District to "C" (Urban Protected Residential, etc.) District.

APPENDIX C

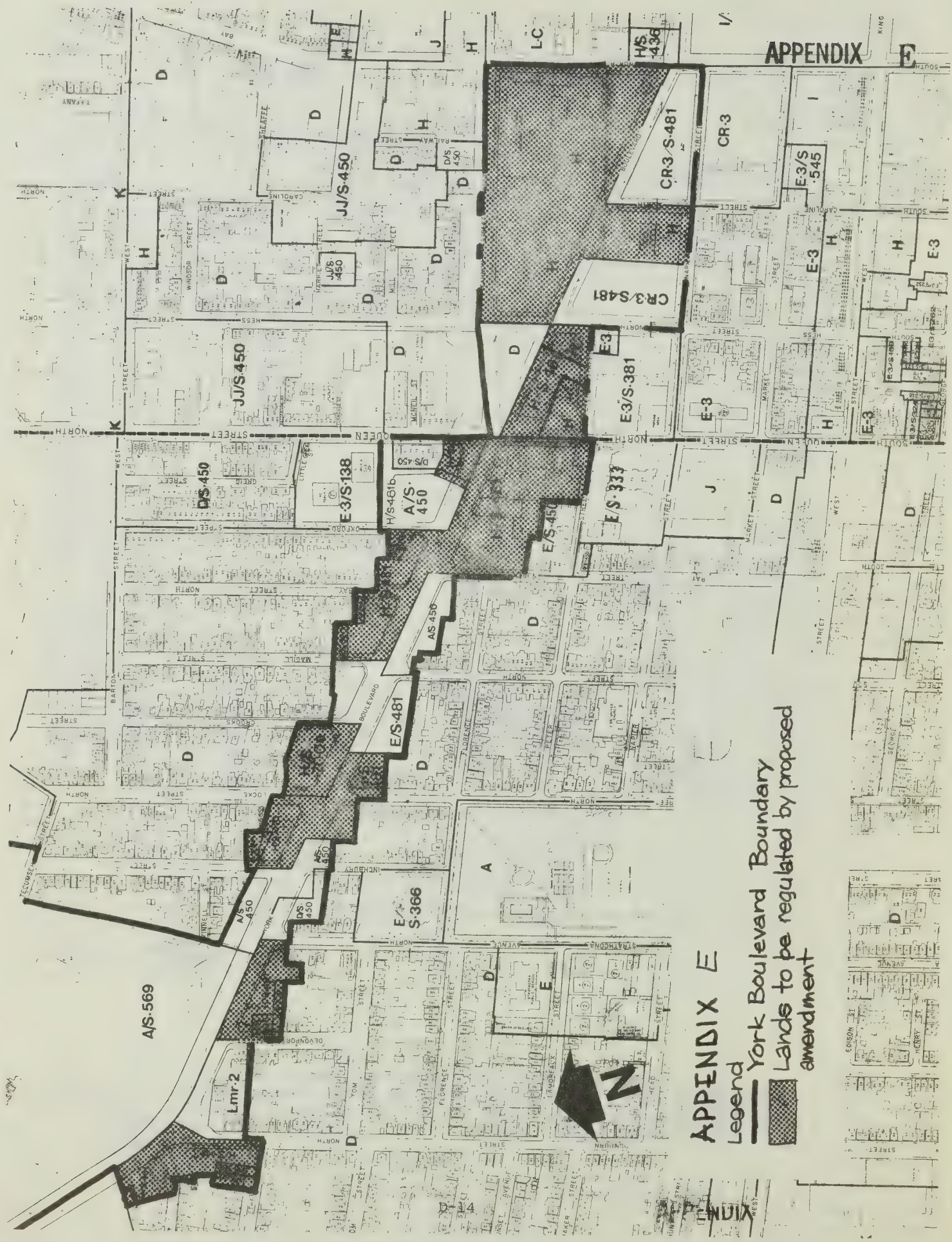
APPENDIX D



LEGEND


Change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings) District to "D" modified to permit single family development on lots having a minimum area of 278 square metres (3,000 square feet).

APPENDIX D



APPENDIX E

Legend

- York Boulevard Boundary
-  Lands to be regulated by proposed amendment

APPENDIX E

E

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its SEVENTH Report for 1981 and respectfully recommends:

CITY ENGINEERING

1. That the payment of invoice no. 15758, dated 13 June 1978 from the Regional Municipality of Hamilton-Wentworth covering the cost of repairing and cleaning the sewer of Ferrie Street, be approved and further that payment of this invoice in the amount of \$24,523.67 be charged against the 1980 expenditures as recommended by the Finance Committee.

REGIONAL ENGINEERING

2. Whereas Item 1 of the 14th report of the Traffic and Engineering Committee approved by Council on 80 09 09 authorized the closure and relocation of a portion of the alley between King Street West and 16 Margaret Street, and whereas the City has now been advised that the remainder of the financing will not be advanced to the Developer for the construction of the Senior Citizen's apartment complex until such time as the alley is closed and transferred to the Developer, it is therefore recommended that clauses (VII) and (XII) of Item 1 of the 14th report of the Traffic and Engineering Committee approved by Council on 80 09 09 be rescinded and the following substituted, therefore:

- "(VII) that the Applicant dedicate sufficient land to the City of Hamilton for the relocated alley, enter into the agreement referred to in Clause (VIII) and provide security satisfactory to the City Solicitor in the amount of \$15,000 to ensure the paving of the said relocated alley.
- (XII) that upon completion of the above, including the paving of the said alley to the satisfaction of the Regional Commissioner of Engineering, the City Solicitor be authorized and directed to prepare a by-law to establish Part 5 Reference Plan 62R-5583 as a public highway."

3. Whereas it is desirable and expedient that the works set out in the schedules appended hereto to be undertaken as the 1981 re-construction/resurfacing program, it is hereby recommended:

Regional Engineering continued...

- (i) That the attached 1981 Re-construction/Re-surfacing Program in the amount of \$4,100,000 be approved and the Commissioner of Engineering be authorized to proceed with the preparation of plans and specifications to implement this program.
- (ii) That the City Clerk be authorized and directed to advertise By-laws as required by Clause 446 of the Municipal Act, of the City's intention to proceed with the altering of the following streets:
 - (a) Caroline Street North, from Main Street West to Market Street.
 - (b) Locke Street North, from King Street West to York Boulevard.
 - (c) Miles Court, from South Street to the south end
 - (d) North Oval (east leg), from Paisley Avenue North to King Street West.
 - (e) Prospect Street South, from Main Street East to King Street East.
 - (f) Rosedale Avenue, from King Street East from approx. 61 m southerly.
- (iii) That the Finance Committee recommend the method of financing.

4. Whereas City Council at its meeting held 80 08 26 referred an item regarding the construction of a finished roadway, as local improvements on Imperial Street from Sherman Avenue to the east end, back to the Committee and directed the Regional Engineering Department to determine whether the property owners abutting the proposed works were in favour or opposed to the construction of the finished roadway, and whereas the response from the circulated residential and industrial property owners was in opposition to the proposed works, it is therefore recommended that the construction of the finished roadway as local improvements on Imperial Street from Sherman Avenue to the east end not be proceeded with at this time.

5. That the Schedule for Local Improvement Charges for construction of roads, sidewalks, curbs and alleys be approved as follows:

<u>Item</u>	<u>From</u>	<u>To</u>
(1) Curbs Only	\$17.00	\$17.00 (no change)

Regional Engineering Continued...

<u>Item</u>	<u>From</u>	<u>To</u>
(ii) Sidewalks only	\$33.00	\$33.00 (no change)
(iii) Sidewalks and Independent Curbs or Combined Sidewalks and Curbs	39.50	39.50 (no change)
(iv) Roadway Only	57.50	75.00
(v) Alleys	33.50	33.50 (no change)
(vi) Roadway and Curbs only (Industrial Subdivisions)	69.00	98.50

6. Whereas the Region will be installing storm and sanitary sewers on Upper Horning Road from approximately 52 m (170') north of Guildwood Drive to 318 m (1043') south of Guildwood Drive and whereas the construction of the preliminary roadway at this time, will facilitate sewer, manhole and catch basin construction and eliminate the need for major adjustments to these works when the finished roadway is constructed in the future, it is therefore recommended:

- (i) That the Regional Commissioner of Engineering be authorized to construct the preliminary roadway at an estimated cost of \$45,000.
- (ii) That these works be charged to Account #0280-12 - Reserve for City's Services (Preliminary Roadways).

7. That the following recommendations of the Commissioner of Engineering respecting the closing of a portion of Glover Mountain Road within the City of Hamilton Limits, be approved:

- (i) That the Regional Municipality of Hamilton-Wentworth be requested to make suitable arrangements with the affected owners once the road allowance has been closed and deeded to the Region.

Subsequent to approval by Regional Council of the above:

- (ii) That the City Solicitor be directed to prepare a by-law for the stopping-up, closing and sale to the Regional Municipality of Hamilton-Wentworth the portion of Glover Mountain Road

lying between the western limit of the road allowance between Lots 26 and 27 and the South-eastern municipal limits; pursuant to The Municipal Act R.S.O. 1970, Section 443, said by-law to proceed only after Clauses 6, 7, and 8 of this recommendation has been complied with.

- (iii) That the City Clerk be directed to publish a notice pursuant to Section 446 of the Municipal Act of City Council's intention to pass the proposed by-law.
- (iv) That the Transport and Environment Committee (upon the recommendation of the Real Estate Department) be directed to fix the period which the Regional Municipality of Hamilton-Wentworth has the right to purchase the soil and freehold.
- (v) That the price at which the soil and freehold of the stopped-up highway is sold to the Region be fixed at one dollar.
- (vi) That the City Surveryor be directed to prepare and register a reference plan to delineate the extent of closure of Glover Mountain Road together with any easements that may be required.
- (vii) Subsequent to the conveyance to the Region of the closed road, that the Region of Hamilton-Wentworth satisfy the requirements of Ontario Hydro with respect to the granting of an easement for their aerial plant.
- (viii) That the Regional Commissioner be authorized to make application to the Region of Hamilton-Wentworth for approval of the proposed closing under Section 51 of Bill 155.

8. It is recommended that the Commissioner of Engineering be authorized and directed to issue a road allowance occupancy permit for the year 1981 to Claude Neon Limited, provided:

- (i) That the vehicles be allowed to occupy the travelled and untravelled portions of the road allowances, excluding sidewalks, for sign installations, cleaning, and maintenance purposes;
- (ii) That the applicant complies with all the regulations of City Streets By-law #9329 and any other conditions that may be set out by the Commissioner of Engineering;

Regional Engineering Continued...

- (iii) That the applicant agrees to refrain from occupying the road allowance during rush hours;
- (iv) That the applicant indemnifies and saves the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

9. Whereas an agreement, respecting the paving of a public unassumed alley was entered into by the City of Hamilton and the owners of the abutting property, located at the south-west corner of King Street and Margaret Street, dated 76 09 28 and registered as Instrument No. 30688 C.D. and whereas this agreement is no longer applicable, it is now recommended:

- (i) That the present owners discharge the said agreement at his expense and to the satisfaction of the City Solicitor.
- (ii) That the appropriate officials be authorized to execute the documents in relation to this discharge.

10. Whereas an agreement respecting landscaping on the road allowance was entered into by the City of Hamilton and the owners of 21 Augusta Street, dated 76 03 12 and registered as Instrument No. 24042 C.D. and whereas this agreement is no longer applicable, it is now recommended:

- (i) That the present owners discharge the said agreement at their expense and to the satisfaction of the City Solicitor.
- (ii) That the appropriate officials be authorized to execute the documents in relation to this discharge.

11. Whereas authorization was granted by City Council to the owners of 189 Park Row South to permit a door over and railings in the allowance of Park Row South and whereas these proposed works are no longer envisaged, it is therefore recommended:

That the authorization granted by City Council on 81 02 18 in adopting Item 1 of the 4th Report of the Traffic and Engineering Committee be rescinded.

12. That the application of the owners of 18 Turner Avenue to retain existing landscaping on the road allowance of Turner Avenue consisting of two limestone walks, hedges, bushes, trees and an asphalt driveway be approved during the pleasure of Council, provided:

Regional Engineering Continued...

- (i) That the owners prepare an agreement satisfactory to the City Solicitor to save the City harmless from all actions, interest, claims, demands, costs, damages, expenses and loss.
- (ii) That an annual fee of \$10 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution, in addition to the \$25 annual fee to be charged the owners for encroachment insurance.

13. That the application of the owners of 25 Peel Street to retain:

- (a) an inadvertent building encroachment onto the road allowance of Napier Street by a maximum of 45 cm (1.5 feet) for an approximate distance of 4.3 m (31 feet).
- (b) an inadvertent stair encroachment onto the road allowance of Peel Street by a maximum of 32 cm (1.1 feet) for an approximate distance of 1.8 m (6 feet).

be approved during the pleasure of Council provided:

- (i) That the owners prepare an agreement satisfactory to the City Solicitor to save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (ii) That an annual fee of \$20 be set for this privilege, which fee shall be due and payable to the corporation 30 days from the date of this resolution, in addition to the \$25 annual fee to be charged the owners for insurance.

14. That the application of the owners of 212/212.1/2 Mary Street North to retain:

- (a) an inadvertent porch encroachment onto the road allowance of Mary Street by a maximum of 0.9 m (3 feet) for an approximate distance of 3.7 m (12 feet).
- (b) an inadvertent stair encroachment further onto the road allowance of Mary Street by a maximum of 1.1 m (3.18 feet) for an approximate distance of 0.86 m (2.8 feet).

Regional Engineering Continued...

be approved during the pleasure of Council, provided:

- (i) That the owners prepare an agreement satisfactory to the City Solicitor to save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (ii) That an annual fee of \$10 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution, in addition to the \$25 annual fee to be charged the owners for insurance.

15. That the application of the owners of 126 Weir Street North to retain the following inadvertent encroachments onto the road allowance of Roxborough Avenue:

- (a) A building by a maximum of 9 cm (0.3 feet) for an approximate distance of 8.5 m (28 feet),
- (b) A set of stairs by a maximum of 33 cm (1.07 feet) for an approximate distance of 1.2 m (4 feet),
- (c) An exterior door by a maximum of 1.0 m (3.3 feet),
- (d) A private stepped sidewalk by a maximum of 2.9 m (9.6 feet) for an approximate distance of 0.7 m (2.3 feet), and
- (e) A private stepped sidewalk by a maximum of 2.6 m (8.5 feet) for an approximate distance of 0.7 m (2.3 feet),

be approved during the pleasure of Council, provided:

- (i) That the owners prepare an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses, and loss.
- (ii) That an annual fee of \$10 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution, in addition to the \$25 annual fee to be charged the owners for encroachment insurance.

That the Commissioner of Engineering be directed to order the removal of the existing fence and gate from the road allowance of Roxborough Avenue under Section 9(3) of the Streets By-law No. 9329.

16. That the application of the owners of 55 Cedar Avenue to retain:

- (a) on the road allowance of Cedar Avenue an inadvertent stair encroachment for a maximum of 56 cm (1.8 feet) for an approximate distance of 1.9 m (6.3 feet),
- (b) on the road allowance of Afton Avenue:
 - (i) an inadvertent stair encroachment for a maximum of 0.70 m (2.3 feet) for an approximate distance of 1.9 m (6.1 feet)
 - (ii) an inadvertent pilaster encroachment for a maximum of 12 cm (0.4 feet) for an approximate distance of 1.4 m (4.5 feet)
 - (iii) an inadvertent encroachment of two (2) bay windows for a maximum of 46 cm (1.5 feet) for an approximate distance of 2.3 m (7.5 feet)

be approved during the pleasure of Council, provided:

- (a) That the owners prepare an agreement satisfactory to the City Solicitor to save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (b) That an annual fee of \$20 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution, in addition to the \$25 annual fee to be charged the owners for insurance.

17. Whereas the resolution, authorizing Genstar Commercial Development Company to erect a free standing sign on the road allowance of Mall Road, adopted by City Council as Item 2 of the 5th Report of the Transport and Environment Committee, did not define specific details, it is therefore recommended that the said resolution be amended by adding the following clauses:

- (a) That the applicant prepare an agreement satisfactory to the City Solicitor, to save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

Regional Engineering Continued...

- (b) That an annual fee of \$25.00 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution, in addition to the \$25.00 annual fee to be charged to the owners for insurance.
 - (c) That the applicant provide public liability and property damage insurance, and the amount to be determined by and to the satisfaction of the City Solicitor.
18. Whereas it is desirable and expedient that certain works be undertaken, it is hereby recommended:
- (i) That the Report of the Commissioner of Engineering and the City Treasurer appended hereto, recommending the construction of concrete alleys as local improvements on the petitions of the property owners pursuant to Section 11 of the Local Improvement Act be adopted.
 - (ii) That the City Solicitor be directed to make application for approval under Section 64 of the Ontario Municipal Board Act.
 - (iii) That the Regional Commissioner of Engineering be authorized to undertake these works on behalf of the City of Hamilton.
19. Whereas it is desirable and expedient that certain works be undertaken, it is hereby recommended:
- (i) That the Report of the Commissioner of Engineering and the City Treasurer appended hereto, recommending the construction of a concrete alley, a finished roadway and combined walks and curbs as Local Improvements on the initiative pursuant to Section 12 of the Local Improvement Act be adopted.
 - (ii) That the City Clerk and the City Treasurer be directed to give the necessary notice of the Council's intention to undertake these works.
 - (iii) That the City Solicitor be directed to make application to the Ontario Municipal Board for approval of the described undertaking pursuant to Section 64 of the Ontario Municipal Board Act if no petition has been filed or an insufficient petition has been filed against the work as set forth in Section 12 of the Local Improvement Act.

REAL ESTATE

20. That Canadian Warplane Heritage Inc. be required to enter into a lease agreement commencing May 1, 1981 and terminating April 30, 1982 covering the use of 45 acres of land at Hamilton Civic Airport to be used for parking purposes during the 1981 Airshow weekend at annual rental of \$450.00 plus taxes.

It is further understood that this annual lease can be cancelled by a 30 day notice should the City of Hamilton or Transport Canada require all or part of the lands for Airport purposes.

21. That the Mayor and the City Clerk be authorized to execute a Quit Claim Deed in favour of the Sisters of the Precious Blood of the Diocese of Hamilton for \$1.00, for all of part 2 on Plan NS-2349, known as Part of 479 Upper James Street South.

22. That the City Solicitor be authorized to accept a deed from Loblaw's Limited for the purchase of Part I on Draft Reference Plan dated June 5, 1980 prepared by A. J. Clarke and Associates O.L.S.

It is understood that this authorization is required in order to finalize the land purchases required to establish Kingfisher Drive in the Bruleville Neighbourhood.

23. That the agreement by the owners of the real property known as Part 3, Expropriation Plan No. SS-1154, having a frontage on Dunsmuir Road of 68.00' by a depth of 95.29', to accept compensation from the City of Hamilton in the amount of \$6,260.00, be transacted.

24. Whereas Item 33 of the Second Report of the Transport and Environment Committee adopted by City Council on January 13, 1981, approved the purchase of certain lands for the sum of \$40,000 from Abbotsford Homes Ltd., to establish Kingfisher Drive in the Bruleville Neighbourhood and whereas a survey of the lands has now been completed and it is noted that additional lands are required from Abbotsford Homes Limited in order to establish Kingfisher Drive. It is therefore recommended:

- (i) That the purchase by the City of Parts 1, 2 and 3 according to P-1399 Surveys from Abbotsford Homes Limited for the sum of \$40,000 be completed.
- (ii) That the said resolution previously approved by Council, being Item # 33 of the Second Report of the Transport and Environment Committee, be rescinded.

Note: It is understood and agreed that the said lands are required by the City for roadway purposes and the City of Hamilton will establish 1' reserves along both sides of Kingfisher Drive for its entire length in order to recover the cost of the installation of services.

It is further understood and agreed that the purchaser will not be entitled to recover the purchase price of \$40,000 through the sale of one (1) foot reserves. The above \$40,000 represents the City's contribution to Abbotsford Home Limited for their share of the acquisition costs of the properties at 373 and 379 Limeridge Road East.

It is further agreed that the City will require vacant possession of the residential dwellings 373 and 379 Limeridge Road East by the closing date: The City will proceed to demolish said dwellings after closing.

The vendor acknowledges that the residential dwelling located at 948 Upper Wentworth which is located on lands being retained by the Vendor encroaches onto the proposed Kingfisher Drive. The Vendor will provide the City with vacant possession of this dwelling on the closing date and hereby authorizes the City or its servants to enter upon the lands north of Kingfisher Drive in order to demolish this dwelling.

This contract arising from the acceptance of this Option shall be completed on or before the 29th day of April 1981.

25. That the sale of Parts 18, 19 and 20, Plan 62R-3535 to Tuite Construction Limited be completed for the sum of \$21,728.39.

Note: This is a sale of the 1' reserve required by the purchaser to permit housing development to take place along the western limit of Berkindale Drive at this location.

26. Whereas the property known as 264 Charlton Avenue East is surplus to the City's requirements and was approved for sale on June 13, 1979, it is recommended that the sale of said property to Mr. Robert Archer for the total amount of \$36,500.00 be completed.

TRAFFIC

27. That Schedule 10 (Stops at Intersections) of By-law No. 66-100 To Regulate Traffic be further amended by adding hereto the following items, namely:-

"Arthur
Robert

Southbound
Eastbound

Aikman
Elgin."

Traffic Continued...

28. That Schedule 26 (No Parking Areas) be amended:

(a) by deleting from Section A (No Parking Anytime) the following items, namely:

"George	North	Locke to Caroline".
---------	-------	---------------------

(b) by adding to Section A (No Parking Anytime) the following items, namely:

"George	North	Locke to Queen
George	North	Hess to Caroline".

29. That Schedule 26 (No Parking Areas) be amended by deleting from Section C (No Parking 7:00 AM to 6:00 PM) the following item, namely:

" George	South	Hess to Queen".
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30. That Schedule 26A (No Parking Areas) be amended by deleting from Section C (No Parking 8:30 AM to 5:00 PM - Mon. to Fri.) the following items, namely:

"LeClaire	Both	End to End".
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and by adding thereto the following items, namely:

"LeClaire	Both	Magnolia to Verdun
Lionsgate	Both	Magnolia to the westerly Limit of Horning".

31. That Schedule 26B (No Parking Areas) be amended by deleting the following items, namely:

"Hess	West	Aberdeen to south end	2nd Tuesday each month 8:00 AM to 12:00 NOON
Hess	East	Main to south end	2nd Wednesday each month 8:00 AM to 12:00 NOON
Inglewood	North	James Mountain Road to west end	2nd Tuesday each month 1:00 PM to 4:00 PM
Inglewood	South	James Mountain Road to west end	2nd Wednesday each month 1:00 P.M. to 4:00 P.M".

and by adding thereto the following item, namely:

"Hess	East	Main to Aberdeen	2nd Wednesday each month 8:00 AM to 12:00 NOON".
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Traffic Continued...

32. That the application by AFB Auto Electric Inc. to lease a portion of the boulevard of Rowanwood Street, adjacent to No. 176 Beach Road, for parking purposes be approved during the pleasure of City Council provided:

- (i) That the owner complies with the requirements as set out in the policy respecting using a portion of the road allowance for parking purposes.
- (ii) That the approach and parking area be constructed in accordance with the submitted plan at the owner's expense.
- (iii) That the owner prepares and executes an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (iv) That the applicant pay the annual fee as established by City Council plus taxes, in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.

33. That the application of Tony and Anne Guagliano to lease a portion of the boulevard of East 34th Street, adjacent to No. 303 Crockett Street for parking purposes be approved during the pleasure of City Council, provided:

- (i) That the owner complies with the requirements as set out in the policy respecting using a portion of the road allowance for parking purposes.
- (ii) That the approach and parking area be constructed in accordance with the submitted plan at the owner's expense.
- (iii) That the owner prepares and executes an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (iv) That the applicant pay the annual fee as established by City Council plus taxes, in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.

Traffic Continued...

34. That the "Policy Respecting Boulevard Parking for One and Two Family Dwellings" and the attached amendments to the Streets By-law appended hereto, be approved during the pleasure of City Council and that the City Solicitor be directed to revise the Streets By-law in accordance with this policy.

35. That the City Solicitor be directed to revise By-law No. 66-100, By-law 75-155, By-law 75-168 and By-law 77-181 to provide that the owner of a motor vehicle is liable for violation of parking regulations, even when he is not the driver of the vehicle.

36. (a) That the proposed procedure for reviewing requests for school traffic officers appended hereto, be approved during the pleasure of City Council.
- (b) That the list of current locations where school traffic officers are assigned appended hereto, be approved during the pleasure of City Council.
- (c) That City Council approve the systematic and continuing review of conditions at locations where school traffic officers are assigned, in order that they may be removed if and when they are no longer required.

MISCELLANEOUS

37. That the recommendations of the Director of Purchases respecting the following, be approved:

- (i) Purchase of Traffic Service Vehicles - International Harvester Limited.

1 International Chassis with Holman Compartment Body \$33,453.19
(Lowest of 3 tenders)

1 International Chassis with Wajax Service Body \$69,251.29
and Pitman Aerial Device
(Lower of 2 tenders)

- (ii) Rental of Compressors & Pavement Breakers - A.R. Cameron Sales & Rentals Ltd.

Miscellaneous Continued...

Rental of Compressors & Pavement Breaker, including Servicing & Maintenance from May 1st, 1981 to November 30th, 1981 as follows:

4 Compressors, Compair Diesel at \$258.00 Each per month
14 Pavement Breakers, Thor at \$55.00 Each per month
(Lowest of 6 tenders).

- (iii) (a) Quigley Contracting - Equipment rental for 1981 in accordance with the terms and conditions set forth by the Director of Purchases and Vendor's Tender as follows:

Caterpillar D-6 with Ripper Bulldozer	- \$35.00 Per Hour
Scrapers - Euclid S-18	- \$60.00 " "
Euclid TS-14	- \$62.00 " "
Euclid TS-24	- \$75.00 " "

- (b) G. F Mason Excavating Ltd. - Equipment rental for 1981 in accordance with the terms and conditions set forth by the Director of Purchases and Vendor's Tender as follows:

Caterpillar D-7 Bulldozer	- \$45.00 Per Hour
John Deere #450 Bulldozer	- \$27.00 " "
Loaders - Caterpillar 977H	- \$40.00 " "
Caterpillar 944 Rubber Tired	- \$33.00 " "
John Deere #450 Crawler	- \$27.50 " "
Trucks - 8 Cu. Yd.	- \$19.00 " "
16 Cu. Yd.	- \$24.00 " "
Graders - Caterpillar Model 14	- \$33.00 " "
Caterpillar Model 14 with Rear Ripper	- \$35.00 " "
Backhoe - Massey Ferguson 50 or John Deere #310	- \$27.50 " "

- (c) Delmar Contracting Ltd. - Equipment rental for 1981 in accordance with the terms and conditions set forth by the Director of Purchases and Vendor's Tender as follows:

Caterpillar D-8 Bulldozer	- \$45.00 Per Hour
---------------------------	--------------------

(Above are the lowest of 4 tenders)

(iv) Purchase of Reflective Sheeting for Traffic Signs -
3M Canada Ltd.

33 rolls of Engineer Grade, Heat Activated Dry
Adhesive Reflective Sheeting\$10,350.25

(Lowest of, 5 tenders)

38. That the following recommendation of the City Solicitor respecting the sale of a portion of West Park Avenue after it is closed by By-law be approved:

That Item 10 of the 37th Report of the Board of Control adopted by Council on August 26, 1980, be amended to authorize that the closing date of this sale be extended from February 11, 1981 to July 14, 1981, on the condition that time is to remain of the essence of the agreement of purchase and sale and all other terms and conditions are to remain the same.

39. That the account of Humphreys, McCaw Inc. to the City dated March 2, 1981 in the amount of \$600.00, be paid.

Note: This account for \$600.00 represents the fee for services which were rendered in May of 1979 by Mr. Humphreys on behalf of the City respecting the review of appraisal reports on the property known as 425 York Street.

BY-LAWS

40. That leave be granted to introduce the following bills:

Bill No. E23 - By-law to authorize:

- 1) The construction of local improvements without petition under Section 12 of the Local Improvement Act on Guelph Street, Cannon Street East and Blythe Street;
- 2) The special assessment to pay a portion of the cost of the works by the abutting owners;
- 3) The preparation of plans, specifications and reports and the supervision of the construction by the Regional Commissioner of Engineering.

By-laws Continued...

41. Bill No. E24 - By-law to amend By-law No. 66-100 To
Regulate Traffic.

Bill No. E25 - By-law to amend By-law No. 66-100 To
Regulate Traffic.

Respectfully Submitted,

Alderman F. A. Lombardo, Chairman

R. C. Prowse, Secretary

March 26, 1981
Attachments.

E17

F

REPORT ON LOCAL IMPROVEMENTS

To the Chairman and Members of the Transport and Environment Committee

Members of the Committee:

The following works are recommended to be undertaken as Local Improvements under "The Local Improvement Act".

Name of Street upon which work is to be Constructed	Between the following Streets or Points	Project Number	Estimated Lifetime Cost of Work in Year of Work	Share or Portion of Cost which should be Borne by the Lands Abutting directly on the Work to be Debentured	Share or Portion that should be Borne by the Corporation	Reduction Which Ought to be Made under Section 28 of the Act	Aggregate Amount of such Reduction	Estimated Cost Per Metre to be Rated
4 m wide Concrete Alley (Sec. 11 L.I.A.) (Referred to in Section 18)								
in the block bounded by Gage Avenue North, Avondale Street, Beechwood Avenue and Barton Street East (north-south and East-west portions)								
Estimated Subsidy: Nil	801-27H	20	\$37,000	\$11,591	\$25,409	Nil	Nil	\$33.50
Estimated Net City's Share: \$25,409 To be Financed from the 1981 Capital Levy								
3 m wide Concrete Alley (Sec. 11 L.I.A.) (Referred to in Section 18)								
first south of Cannon Street East running from Birch Avenue to Gibson Avenue (east-west portion only)								
Estimated Subsidy: Nil	801-29H	20	\$12,000	\$ 4,470.24	\$ 7,529.76	Nil	Nil	\$33.50
Estimated Net City's Share: \$7,529.76 To be Financed from the 1981 Capital Levy								

- Estimated cost per metre increased by approx. 120% if debentured over 15 years.

DATED at Hamilton this

A.D., 19

day of

W. H. McFarland

J. R. G. Leach

Treasurer and Commissioner of Finance.

Commissioner of Engineering

REPORT ON LOCAL IMPROVEMENTS

To the Chairman and Members of the Transport and Environment Committee

Members of the Committee:

The following works are recommended to be undertaken as Local Improvements under "The Local Improvement Act".

Name of Street upon which work is to be Constructed	Between the following Streets or Points	Project Number	Estimated Lifetime Cost of Work in Years	Estimated Gross Cost of Work	Share or Portion of Cost which should be Borne by the Lands Abutting directly on the Work to be Debentured	Share or Portion that should be Borne by the Corporation	Reduction Which Ought to be Made under Section 28 of the Act	Aggregate Amount of such Reduction	Estimated Cost Per Metre to be Rated
3.35 m wide Concrete Alley (Sec. 11 L.I.A.) (Referred to in Section 18)									
first north of Cannon Street from Kihrade Avenue to 35 m (115') westerly.									
Estimated Subsidy: Nil									
Estimated Net City's Share: \$3,237.40 To be Financed from the 1981 Capital Levy									
		801-31H	20	\$ 5,300	\$2,062.60	\$ 3,237.40	Nil	Nil	\$33.50
2.74 m (9') wide Concrete Alley (Section 12 L.I.A.) (Referred to in Section 19)									
in the block bounded by Cannon Street East, Adams Street, Wentworth St. North and Wilson Street									
Estimated Subsidy: Nil									
Estimated Net City's Share: \$11,134.53 To Be Financed from the 1981 Capital Levy									
		801-32H	20	\$19,000	\$7,865.47	\$11,134.53	Nil	Nil	\$33.50

- Estimated cost per metre increased by approx. 120% if debentured over 15 years.

DATED at Hamilton this day of A.D., 19

W. H. McFarland

Treasurer and Commissioner of Finance.

J. R. G. Leach

Commissioner of Engineering

REPORT ON LOCAL IMPROVEMENTS

To the Chairman and Members of the Transport and Environment Committee

Members of the Committee:

The following works are recommended to be undertaken as Local Improvements under "The Local Improvement Act".

Name of Street upon which work is to be Constructed	Between the following Streets or Points	Project Number	Estimated Lifetime Cost of Work in Years	Estimated Gross Cost of Work	Share or Portion of Cost which should be Borne by the Lands Abutting directly on the Work to be Debentured		Share or Portion of that should be Borne by the Corporation	Reduction Which Ought to be Made under Section 28 of the Act	Aggregate Amount of such Reduction	Estimated Cost Per Metre to be Rated
8.7 m wide Finished Roadway (Sec. 12 L.I.A.) (Referred to in Section 19)										
on Grace Avenue from Burgess Avenue to the west end										
Estimated Subsidy: \$9,500.00			807-33H	20	\$53,000	\$33,977.90	\$19,022.10	120.72 m	\$6,941.40	\$57.50
Estimated Net City's Share: \$9,522.10 To be Financed from the 1981 Capital Levy										
1.5 m wide Combined Walk and Curb (Sec. 12 L.I.A.) (Referred to in Section 19)										
on Simcoe St. (south side) from Wellington St. to approx. 110 m (361') westerly										
Estimated Subsidy: \$ 600.00			819-53H	20	\$11,000	\$ 9,740.70	\$ 1,259.30	Nil	Nil	\$39.50
Estimated Net City's Share: \$ 659.30 To be Financed from the 1981 Capital Levy										

Policy Respecting Boulevard Parking for One and Two Family Dwellings - March 1981

- All applications for boulevard parking shall be controlled through the Driveway Approach Approval process. A Boulevard Parking Agreement shall be required, and a yearly cost of twenty-five (\$25.00) shall be charged to cover liability insurance costs.
- Boulevard parking shall apply to front, side and rear yards.
- Boulevard parking may be permitted even though the subject property abuts an assumed alley or an unassumed alley, and regardless of existing conditions at other properties in the area.
- A minimum parking space size of 9 ft. wide by 19.5 ft. long by 7 ft. high shall be encouraged.
- On small lots, provision may be made for a maximum of 2 parking spaces for a single family home or 4 spaces for a duplex unit. These totals include parking spaces which may be available entirely on private lands.
- A maximum approach width of 20 ft. shall be permitted.
- The boulevard parking space may be permitted at any angle to the municipal sidewalk, but for spaces at other than 90° to the sidewalk, additional manoeuvring space may be required.
- An approach may be permitted only if there is a minimum clear distance of 10 ft. between the municipal sidewalk and the house, a structure, or some other obstruction.
- Boulevard parking shall be permitted notwithstanding the ownership of the proposed parking area i.e. whether entirely on the boulevard or partly on the boulevard and partly on private property.
- The parking of boats, trailers, campers, mobile homes, and commercial vehicles on any part of the boulevard is prohibited.
- In the event that a street widening affects an existing boulevard parking area, the parking area will be reviewed to see if it can be made to conform with the boulevard parking policy, if necessary. The street widening may also be reviewed if it appears that it will have adverse effects on a number of boulevard parking areas.

Boulevard paving will be limited, through the Driveway Approach Approval process, according to the following criteria:

- | | | |
|--------------------|--------------|--------------------|
| - 90° parking | - 1 space | - 9 ft. in length |
| - 90° parking | - 2 spaces | - 18 ft. in length |
| - parallel parking | - 1 space | - 30 ft. in length |
| - other angles | - 1-2 spaces | - as required |

The remainder of the boulevard shall either be grassed or treated to the satisfaction of the Traffic Commissioner.

As part of the Driveway Approach Approval process, the Traffic Commissioner shall encourage the use of a variety of construction materials, suitable landscaping, and development of a scale that would be in keeping with the location and scale of the house and surrounding houses.

Where it is proposed by a property owner that the Boulevard Parking policies not be met, the application shall be dealt with by the Traffic Commissioner in close consultation with the Aldermen of the Ward. In the event that an agreement cannot be reached with the property owner, the Transportation and Environment Committee shall make the final decision.

Proposed Procedure for Reviewing Requests
for School Traffic Officers - March 1981

- (1) Requests for the assignment of a school traffic officer are forwarded to the Traffic Commissioner.
- (2) The Traffic Commissioner reviews all requests, and assesses the need for control by a school traffic officer in light of available information. As a general rule, a school traffic officer is not needed unless vehicular volumes exceed 5,000 vehicles per day, or there are other circumstances such as visibility restrictions which cannot be resolved at a particular location.
- (3) If the Traffic Commissioner determines that no further studies are necessary, he reports to the Transport and Environment Committee. If it is determined that studies should be done by the Regional Police Department, the Traffic Commissioner forwards a request for a study to the Chief of Police.
- (4) The Chief of Police conducts studies related to the volume and age of pedestrians, the availability of vehicle gaps, the availability of alternative crossing locations for the pedestrians, and other factors as appropriate.
- (5) Upon completion of these studies, the Chief of Police forwards a report to the Traffic Commissioner, who in turn prepares a report for the Transport and Environment Committee.
- (6) The Transport and Environment Committee reviews the reports from the Traffic Commissioner and the Chief of Police, and recommends appropriate action to the City Council.
- (7) The City Clerk advises the Traffic Commissioner and the Chief of Police of the decision of the City Council.

Approved School Traffic Officer Locations
As of March 18, 1981

Barton Street & Gibson Avenue
Barton Street & MacNab Street
Barton Street & Smith Avenue
Bay Street & Bold Street
Bond Street & King Street
Brant Street & Niagara Street
Burlington Street & Niagara Street
Cannon Street & Elgin Street
Cannon Street & Smith Avenue
Dundurn Street & Hunt Street
Dundurn Street & Lamoureaux Street
Dundurn Street & Stanley Avenue
East Avenue & King Street East
East Avenue & Main Street East
Emerson Street & Sussex Street
Ferrie Street & John Street
Haddon Avenue & King Street
Herkimer Street & Locke Street
Hunter Street & Locke Street
Hunter Street & Walnut Street
Inchbury Street & York Boulevard
James Street & Simcoe Street
James Street & Picton Street
King Street & Pearl Street
1940 Main Street West
King St. & 403 Ramp
Monroe Street & Wentworth Street
Main Street & Strathcona Avenue
Ontario Avenue & Stinson Street
Rifle Range Road & Whitney Avenue
Stinson Street & Wellington Street
Sterling Street & Haddon Avenue
Walnut Street & Young Street

Albright Road & Mt. Albion Road
Balmoral Avenue & King Street
Barons Avenue & Cannon Street
Barton Street & Brunswick Street
Barton Street & Weir Street
Bellcairn School
Britannia Avenue & Weir Street
Cannon Street & Balmoral Avenue
Cannon Street & Province Street
Central Avenue & Parkdale Avenue
Delewana Drive & Riverdale Drive
Delaware Avenue & Sherman Avenue
Gage Avenue & Primrose Avenue
Glen Echo Drive & Nash Road
Greenhill Avenue & Country Club Drive
Grosvenor Avenue & Main Street
Hillcrest School
King Street & Glenholme Avenue
King Street & London Street
Maplewood Avenue & Norway Avenue
Parkdale School
Roxborough Avenue & Strathearne Avenue
Quigley Road & T.H.&B. Path
Quigley Road & Veevers Drive

Approved School Traffic Officer Locations Cont'd

Anson Avenue & Upper Ottawa Street
Concession Street & East 36th Street
Concession Street & Viewpoint Avenue
Crockett Street & Upper Wentworth Street
Crockett Street & East 36th Street
Fennell Avenue & High Street
Fennell Avenue & East 37th Street
Fennell Avenue & West 2nd Street
Garth Street & Garrow Drive
Inverness Avenue & Upper Wellington Street
Limeridge Road & Comley Path
Limeridge Road & Elgar Avenue
Limeridge Road & Lennox Street
Limeridge Road & St. Jeromes
Mohawk Road & East 25th Street
Mohawk Road & Rice Avenue
Mohawk Road & Magnolia Drive
Mohawk Road & Moxley Drive
Mohawk Road & Sanatorium Road
Queensdale Avenue & East 26th Street
Upper Gage Avenue & Ninth Avenue
Upper Gage Avenue & Thorley Drive
Upper James Street & Churchill Avenue
Upper Ottawa Street & Ninth Avenue
Upper Paradise Road & San Road
Upper Sherman Avenue & Franklin Road
Upper Wellington Street & South Bend Road
West 5th Street & Tyrone Drive
StoneChurch Road & Quinn Avenue

REPORT OF THE PERSONNEL COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its FIFTH Report for 1981 and respectfully recommends:

1. Printed with this agenda for the approval of the Members of City Council is a copy of a Memorandum of Agreement dated March 7, 1981 between the Negotiating Committee of City Council and C.U.P.E. Local 5, C.L.C.

The Personnel Committee recommends that the Mayor and City Clerk be authorized to execute an Agreement incorporating the changes in the present agreement as set out in the Memorandum of Agreement dated March 7, 1981.

That the officials of The Corporation be authorized to take the necessary steps to implement the changes set out in the Memorandum of Agreement immediately.

Among other things, the Memorandum of Agreement provides for the following:

(a) A Wage increase of 11% effective January 16, 1981 and a further wage increase of 10.5% effective January 16, 1982.

(b) Improvements to the Shift Premium Article.

(c) A week-end premium of ten (10) cents per hour in 1981 and an increase of fifteen (15) cents per hour in 1982.

(d) Vacation Pay credited on the basis of aggregate credited service as of the employee's anniversary date.

(e) Improvements in the Annual Vacation Article.

(f) That when administratively possible, the present Sick Leave Accumulation shall be frozen, and that the Sick Leave Plan, other than usage for a gratuity and augmentation of entitlements, shall be totally replaced by an Income Protection Plan in two parts;

- i. A Short Term Disability Plan encompassing 26 weeks of a calendar year in which illness occurs;

- continued -

- ii. A Long Term Disability Plan which shall continue in the event of Term Disability until an employee either returns, or reaches his normal retirement age, or dies.

The (i) part of the Plan to be administered by the Corporation; the (ii) part of the plan to be administered by a Carrier.

2. Approval of the action of the Personnel Committee in awarding the following contracts:

FIRE DEPARTMENT

- (a) Robt. Slessor Pontiac Buick Inc., Grimsby, Ontario.

1 GMC Suburban TC20906 Dual Purpose Vehicle \$10,231.20

Note: Lowest of 3 Tenders.

- (b) Fairview Chrysler Dodge Ltd., Burlington, Ontario

1 - Dodge D350 Pick-up Truck \$7,068.28

Note: Lowest of 7 tenders.

- (c) Wilson & Cousins, Div., of Purex Canada Ltd.,
Brampton, Ontario.

400 Cairns 660C Metro Firefighting Helmets \$23,968.00

Note: Lowest acceptable tender.

3. The Chief of the Hamilton Fire Department be permitted to assign departmental personnel to assist with the instruction at the Ontario Fire College on July 21 and 22, 1981 and September 2 to 4, 1981. The Ontario Fire College, (Ministry of the Solicitor General) will reimburse the City of Hamilton for salary and benefits, as well as accomodation, meals and travelling costs.
4. That leave be granted to introduce the following Bill.
 - (a) Bill #81-8, a By-law to ammend By-law #68-34 -- to change reference to the Legislation and Fir. Committee to Personnel Committee.

RESPECTFULLY SUBMITTED,

ALDERMAN P. DRAGE,
CHAIRMAN, PERSONNEL COMMITTEE

G.W. McMillan,
Secretary
March 25, 1981

The Corporation of the City of Hamilton

BY-LAW NO.

To Amend:

Fire Department By-law No. 68-34

Respecting:

PERSONNEL COMMITTEE

WHEREAS By-law No. 68-34, passed on the 30th day of January, 1968 establishes regulations for the Fire Department and provides (amongst other things) that the committee of council dealing with Fire Department matters shall be the Legislation and Fire Committee;

AND WHEREAS paragraph 3 of section 50 of By-law No. 1, as enacted by section 11 of By-law No. 81-19, passed on the 13th day of January, 1981, provides for the Personnel Committee to report to City Council on all matters relating to the Fire Department;

AND WHEREAS it is desirable to amend By-law No. 68-34 to reflect the changes brought about by By-law No. 81-19.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Clause (b) of subsection 1 of section 1 of By-law No. 68-34 is repealed and the following substituted therefor:

(b) "committee" means the Personnel Committee of the City of Hamilton;

PASSED this day of A.D. 1981.

City Clerk

Mayor

This Memorandum of Agreement made this 19th day of March, 1981

BETWEEN THE NEGOTIATING COMMITTEES OF:

THE CORPORATION OF THE CITY OF HAMILTON

- and -

THE CANADIAN UNION OF PUBLIC EMPLOYEES - LOCAL 5
(City of Hamilton Unit)

- I The parties herein agree to the terms of the Memorandum as constituting full settlement of all matters at issue between the parties.
- II The undersigned representatives of the parties agree to recommend unanimously acceptance of all the terms of this Memorandum to their respective principals.
- III The parties herein agree that the term of the Collective Agreement shall be January 16, 1981 to January 15, 1983.
- IV The parties herein agree that the said Collective Agreement shall include the terms of the Collective Agreement covering the period from January 16, 1980 to January 15, 1981, dated March 7, 1980, together with the following amendments and provisions.
- V The Collective Agreement shall be amended in accordance with the following and such amendments shall become effective upon ratification by both parties whose proper officers have appended their signatures hereto, save and except where this Memorandum of Agreement specifically provides otherwise.

The following are the amendments referred to in Item V above.

(1) Article 6 - Overtime Compensation

6.9 Amend Clause to read, following the words "for purposes of this Clause, sections shall be "

- (1) Garbage Section
- (2) District 1
- (3) District 2 & 7
- (4) District 3
- (5) District 4
- (6) District 5
- (7) Central Garage
- (8) Forestry Section
- (9) Horticultural Section
- (10) Greenhouse
- (11) Parks Section (1) East
- (12) Parks Section (2) West
- (13) Parks Section (3) Mountain

- (14) Chedoke Winter Park
- (15) King's Forest Winter Park
- (16) Chedoke Golf Course
- (17) King's Forest Golf Course
- (18) West End Cemeteries
- (19) East End Cemeteries
- (20) Mountain Cemeteries
- (21) Recreation by Rink and Pool
- (22) Property and Maintenance Section

(2) Article 7 Shift Differential

7.3 Amend Clause by deleting the words "Thirty-three (33)" and inserting the words "Thirty-five (35)" effective from the date of ratification.

7.4 Amend clause by deleting the words "Thirty-three (33)" and inserting the words "Thirty-five (35)" effective from date of ratification.

7.6 Add the following as a New Clause -

"Weekend premium to be effective from date of ratification in the amount of ten (10) cents per hour on any regularly scheduled shift between midnight Friday and midnight Sunday. Effective January 16, 1982, this premium shall be increased by fifteen (15) cents per hour for any regularly scheduled shift between midnight Friday and midnight Sunday. Weekend premium will be paid in addition to shift premium but will not be paid for overtime hours.

(3) Article 9 - Annual Vacations

(a) All reference to January 1st shall be deleted and vacations granted on aggregate credited service in the year in which the employee completes the qualifying period for vacations and,

(b) make provision for the following amendments;

- 22 years of service - 5 weeks and 1 day thereafter
- 23 years of service - 5 weeks and 2 days thereafter
- 24 years of service - 5 weeks and 3 days thereafter
- 26 years of service - 5 weeks and 4 days thereafter
- 27 years of service - 6 weeks and thereafter

(c) Delete Clause 9.2 (a)

(4) Article 10 - Vacation Pay on Retirement or on Separation from Service

10.1 Add to this Clause the following:

"Vacation entitlements, as set out in Column 2 under the heading 'Vacation Pay', shall be the relevant percentage of earnings for the period between the employee's last anniversary date (immediately preceding the date the employee separates or retires) and the date the employee actually separates or retires from employment with the Corporation."

(5) Article 12 - Sick Leave, Pension and Group Medical and Hospitalization Plans

12.1 (b) Employees are entitled to provisions of the Short Term Income Protection Plan as attached hereto. The provisions of By-law 78-74 entitled "A By-law to Establish Cumulative Sick Leave Allowances" shall continue in full until such time that the Short Term Income Protection Plan is implemented and concurrent with the implementation of that Plan, the Cumulative Sick Leave Allowances Plan shall be as modified by the Short Term Income Protection Plan.

The Employer shall introduce and pay the full cost of the premiums of a Long Term Income Protection Plan which shall be subject to tender and implementation in accordance with the terms of the Long Term Plan attached hereto.

The acceptance of the provisions of the foregoing Income Protection Plan by the parties is based upon the understanding that no point or points in the foregoing shall form the subject of negotiations for a period of two (2) years from the date of implementation of this Plan.

12.1 (c) Delete

12.5 Amend clause by deleting the words "1980 O.D.A. Schedule" and inserting the words "1981 O.D.A. Schedule in 1981, and 1982 O.D.A. Schedule in 1982."

12.10 Add the following as a New Clause:

"When an employee is injured on the job, any time lost due to the employee filing a claim with the Workmen's Compensation Board, such loss of wages will be paid by the Employer. Such payment is not to be taken from the employee's sick bank credits."

(6) Article 14 Leave of Absence

14.1 (b) Amend Clause be deleting the word "twenty (20)" and inserting the word "forty (40)".

(7) 14.4 Amend Clause be deleting the word "four (4)" and inserting the word "three (3)".

(8) 15.7 Delete Clause from the Collective Agreement.

(9) Article 17 - Discipline

17.2 Amend Clause be adding after the word "suspension" in the sixth (6th) line the sentence "Absence due to vacation, sickness, or any other reason by the employee involved shall extend the ten (10) days referred to above".

(10) Article 18 - Grievance Procedure

18.1 Within the terms of this Agreement a grievance shall be defined as a difference between the parties arising from the interpretation, application, administration or alleged violation of this Agreement.

18.2 The employee and the department steward, if the employee so chooses, shall within ten (10) working days of the origin of the grievance, submit the grievance in writing to the employee's Foreman or Supervisor.

18.3 Failing settlement within three (3) working days following the date of submission, or within such longer period as may be mutually agreed upon by the employee and Supervisor, the Chairman of the Grievance Committee, within three (3) working days of receipt of the decision of the Foreman or Supervisor, will present the grievance in writing to the Head of the Department concerned, who will confer with the Grievance Committee within seven (7) working days in an endeavour to reach a satisfactory settlement, and within three (3) working days, will report in writing to the Chairman of the Grievance Committee following the meeting noted above.

18.4 Failing a satisfactory settlement pursuant to Article 18.3, the Chairman of the Grievance Committee shall, within five (5) days following receipt of the decision of the Head of the Department, present the grievance in writing to the Director of Personnel for the consideration of the Chief Administrative Officer in conjunction with the Director of Personnel in an effort to bring about a prompt and satisfactory settlement at a meeting within ten (10) working days following presentation of the Grievance. At such meeting, the

Grievance Committee may be accompanied by authorized representatives of the Union. The Director of Personnel shall report in writing within ten (10) days of the said meeting to the Union. In the event the Director of Personnel denies the grievance, he shall state the reasons in writing.

18.5 Where the dispute involves

- (a) the question of general application of or interpretation of the provisions of this agreement, or
- (b) a group of employees, or
- (c) the dismissal of any employee or group of employees,

the grievance may be submitted by the Chairman of the Grievance Committee and the first step of the Grievance Procedure is to be omitted.

18.6 Where no satisfactory settlement of the matter in dispute is reached within twenty-one (21) days or such longer period as may be mutually agreed upon, of presentation of the request to the Director of Personnel and Chief Administrative Officer under Section 4 of this Article and the said matter in dispute is to be referred to Arbitration under the provisions of Article 19.

18.7 Meetings with the Director of Personnel and/or authorized officials of the Employer, in reference to grievances, shall be held during the regular scheduled working hours at the prevailing rate of pay.

(11) Article 22 - Health and Welfare

- 22.2 Clause to be amended in the fourth (4th) paragraph, second (2nd) line be adding after the words "students hired for summer employment," the words "or casual employees".

(12) Article 27 - Operation of Vehicle

Article be amended by adding the words "within their classification" after the word "personnel" in the first line.

(13) Article 28 - Duration of Agreement

This Article to be amended to reflect the term of the new Agreement as being January 16, 1981 to January 15, 1983.

(14) Letters of Intent

- Cost of Ontario Municipal Employee's Retirement System (O.M.E.R.S) Type III Pension
- Distribution of pay cheques to afternoon and night shifts
- Plus all other Letters of Intent currently attached

(15) Schedule "A"

- (a) Amend Schedule "A", on January 16, 1981 by a general increase of 11% and,
- (b) Amend that Schedule on January 16, 1982 by a general increase of 10.5% and,

ENTERED INTO THIS 19th day of March, 1981 on BEHALF OF:

THE CORPORATION OF THE CITY
OF HAMILTON

William Powell
Robert Jones
Robert Jones
Robert Jones
Robert Jones
Robert Jones
Robert Jones
Robert Jones
Robert Jones
Robert Jones

THE CANADIAN UNION OF PUBLIC
EMPLOYEES - LOCAL 5

(City of Hamilton Unit)

Robert Jones
Robert Jones
Robert Jones
Robert Jones
Robert Jones
Robert Jones
Robert Jones
Robert Jones
Robert Jones
Robert Jones

MEETING OF CITY COUNCIL

April 14, 1981

A G E N D A

- A Finance Committee
- B Legislation Committee
- C Parks and Recreation Committee
- D Planning and Development Committee
- E Transport and Environment Committee

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:-

The Finance Committee presents its NINTH Report and respectfully recommends:-

1. That the policy of providing annually a capital levy of at least 5 mills in the Current Estimates for capital purposes be continued.
2. The debt charges will not exceed 15% of the current year's estimated adjusted municipal levy for this Capital Budget.
3. That every consideration be given to continuing with a "Pay-As-You-Go" policy for capital projects that are considered by City Council and the Ontario Municipal Board of a low priority nature.
4. That the Board of Directors of Hamilton Place and the Hamilton Convention Centre consider the establishment of a Reserve for Capital Projects. The amount of the provision each year to be determined on each year's operation.
5. That this Capital Budget program be approved and submitted to the Ontario Municipal Board for its consideration through the Regional Council.

RESPECTFULLY SUBMITTED,

ALDERMAN P. O. VALERIANO,
CHAIRMAN, FINANCE COMMITTEE.

R. M. Collier, Secretary.
March 31, 1981.

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:-

The Finance Committee presents its TENTH Report and respectfully recommends:-

1. That the expenditure portion of the City of Hamilton Current Budget for the year 1981 in the total amount of \$90,535,670.00 be approved.
2. That the City Treasurer be authorized to make application to the Ministry of Transportation and Communications for the City of Hamilton 1981 Normal and Supplementary Applications for Roadway Subsidy as follows:

	Estimated Total Expenditure (1)	Estimated Subsidizable Expenditure (2)	Estimated Subsidy Dollars (3)
Normal - Maintenance	4,843,150	4,516,960	2,258,480
- Construction	5,457,120	4,155,040	2,077,520
	10,300,270	8,672,000	4,336,000
Supplementary - Construction	1,899,250	983,930	491,960
	12,199,520	9,655,930	4,827,960

Furthermore, that the City Treasurer be authorized to petition the Minister for subsidy payments as necessary.

3. Approval of the awarding of the following contracts:-

(1) VARGA WRECKING (HAMILTON) LTD., Caledonia, Ontario.

Demolition of 129 Mulberry St., Hamilton, Ontario,
in accordance with specifications set forth by
the Director of Real Estate.....\$29,111.00.

Note: Lowest of 4 tenders.

(2)

BARBER-ELLIS, Toronto, Ontario.

Supply of Fine Paper for 1981.....\$38,701.46
Plus Federal & Ontario Sales Taxes where applicable.

This was a co-operative tender call with the Region and is the lowest of 4 tenders for the total contract.

(3)

MOORE BUSINESS FORMS, Burlington, Ontario.

Stock Tabulating Paper for 1981 as follows:-

180M 8 1/2 x 14 7/8, 2 part, carbonless at \$22.85 M.....	\$ 4,113.00
90M 8 1/2 x 14 7/8, 3 part, carbonless at \$37.65 M.....	3,388.50
72M 8 1/2 x 14 7/8, 4 part, carbonless at \$51.30 M.....	<u>3,693.60</u>
	\$11,195.10

Plus 9% Federal Sales Tax, plus 7% Ontario Sales Tax.

Note: Only acceptable supplier.

4. That Section (h) of the Regional Finance Committee's Report dated March 26, 1981 and reading as follows:-

"Report 104/81 regarding the 10% Canadian Preference Policy was received. It was agreed that this matter be again reviewed at such time as there is a firm definition of Canadian Content established (September, 1981).", be endorsed.

It is further recommended that the City Treasurer be authorized to make an approach to the Federal and Provincial Governments respecting the possibility of obtaining a subsidy to assist municipalities with the additional costs that would be incurred with the adoption of the 10% Canadian Preference Policy.

5. That Sub-section (b) of Section 2 of the Fifth Report of the Finance Committee adopted by City Council, February 24, 1981, respecting a policy for the issuance of Purchase Orders be amended by adding the following to Sub-section (ii) of Sub-section (b).

"Construction and demolition contracts over \$10,000.00 be subject to the appropriate Committee recommendation and City Council approval."

Note: Members of City Council are advised that the wording of the policy, as adopted February 24, 1981, indicated that contracts over \$10,000.00 would not be submitted to City Council for its approval, however, this was not intended and in fact all such contracts have been submitted to City Council for its approval. This amendment will correct this omission.

6. That the City Solicitor be authorized and directed to prepare a deed transferring the property at 366 Victoria Avenue North to the Hamilton Hydro Electric System for the sum of \$1.00. In adopting Section 9 of the Fortieth Report of the Board of Control, City Council at its meeting held October 29, 1974 authorized the conveyance of 23 parcels of land to the Hamilton Hydro Electric System. These properties were acquired in the name of the City of Hamilton during the period from 1910 to 1955 and the subject property at 366 Victoria Avenue North was inadvertently omitted from the 1974 list.
7. That the City of Hamilton assume the Lease Agreement between 317158 Ontario Limited and Urban Outdoors Incorporated respecting the occupancy of the lands at 18 Main Street East by a billboard installation. This lease covers a two year period and expires on August 31, 1982. The lessee has the right to an annual renewal on the anniversary date unless either party notifies the other to the contrary thirty (30) days prior to such anniversary date. Rental payments of \$1,500.00 per annum are payable in equal semi-annual installments of \$750.00 and are due and payable on March 1st and September 1st of each year.

It is further recommended that the City of Hamilton enter into an agreement with Bell Canada respecting the occupancy of the parking facility being purchased by the City at 18 Main Street East by a Bell Canada telephone booth. The agreement being made with Bell Canada calls for the City to receive 11% of the gross revenue derived from the telephone booth.

Note: The property at 18 Main Street East (formerly Wentworth Arms Hotel) is being acquired by the City for off-street parking purposes and the City, as the new owner, will be a party to these two agreements.

8. Section 9 of the Twelfth Report of the Planning and Development Committee makes reference to an expenditure of \$5,000.00 for the renting of an information booth at the First Annual Home Show to be held March 4 - 7, 1982. The Finance Committee recommends that this expenditure be financed by a transfer of \$5,000.00 from the 1981 Contingency Account to Account No. 0378-3398.
9. Section 3 of the Seventh Report of the Transport and Environment Committee adopted by City Council March 31, 1981 approved the 1981 Reconstruction/Resurfacing Programme in the amount of \$4,100,000.00.

The Finance Committee recommends that the estimated net cost to the City of \$2,500,000.00 after the deduction of the Ministry of Transportation and Communications subsidy be financed by providing \$1,250,000.00 from the 1981 Capital Levy and \$1,250,000.00 from the 1982 Capital Levy.

10. That the City Solicitor be authorized and directed to prepare and that the Mayor and City Clerk be authorized and directed to execute, a correcting deed in favour of Guiseppe and Maria Filice, the present owners of the property at 74 Munn Street, and that the City pay Mr. and Mrs. Filice's reasonable legal fees and disbursements.

Note: In 1956, the City sold these lands but, through inadvertence, the commencement point of the legal description was incorrect with the result that the deed appears to encroach by 10 feet on the next property to the east at 76 Munn Street. This action by the City will remove this cloud from the title at 76 Munn Street.

11. Approval of a grant of \$3,720.00 to the Hamilton Firefighters Drum Corps to assist in participation in the Grey Cup Parade, being a grant of 100% of the cost of bus travel from Hamilton to Montreal, \$2,820.00 plus 50% of the cost of accommodation and local bus travel in Montreal, \$900.00. The total grant of \$3,720.00 to be financed by a transfer from the Contingency Account.
12. Approval of a municipal contribution of \$426,420.00 to the Hamilton Society for the Prevention of Cruelty to Animals for the year 1981. This represents a 10% increase over the municipal contribution for 1980. Also recommended is the denial of a request for a special grant of \$10,000.00 for working capital.

Note: For the information of Members of City Council, an amount of \$456,030.00 was provided in the 1981 Estimates along with an amount for a grant of \$10,000.00 for working capital, both of which are shown in the 1981 Estimates for budgetary purposes only. Approval of the forgoing recommendations will realize a net saving of \$39,610.00.

13. Approval of the sale of part of Lot 1, York Surveys, Registered Plan No. 1396, the said property being a parcel of vacant land having a frontage along the southern limit of York Boulevard of 158.49 feet and along the eastern limit of Hess Street North of 329.16 feet and containing 1.598 acres (69,595 square feet) to Re-Vest Holdings Limited for the sum of \$1,043,925.00. Offer to be accepted on or before May 15, 1981. Balance on closing of sale which shall be on or before June 17, 1981.

It is understood and agreed that the final purchase price of the property described herein is to be calculated at a rate of \$15.00 per square foot and applied to the exact area of the said property which will be determined by the City Surveyor upon completion of a survey of the said lands. This may result in an upward or downward adjustment to the approximate purchase price of \$1,043,925.00 as stated on the face page of this Offer.

The closing of this contract of purchase and sale resulting from the acceptance of this Offer to Purchase is conditional upon:-

- (a) The Corporation of the City of Hamilton accepting the Option to Purchase with Re-Vest Holdings Limited dated for acceptance by May 15, 1981 pertaining to the purchase by the City of:
 - (i) all of Lots 9 and 13, Parts of Lots 7, 8 and 10 - Block 5 - David Kirkendall Survey Registered Plan No. 39 and all of Lots 4, 5, 6, 7 and 8, part of Lot 3 - George Burton Survey - Registered Plan No. 262, the said vacant parcel of land being located at the north-east corner of York Boulevard and MacNab Street, extending northerly to Vine Street and containing 47,089 square feet (more or less).

- (ii) all of Lots 6, 8 and 9 and part of Lots 7, 10, 11 and 12 - Block 6, David Kirkendall Survey, Registered Plan No. 39, the said parcel of vacant land having frontage along the north limit of Vine Street, along the eastern limit of MacNab Street North and along the southern limit of Cannon Street West and containg 43,055 square feet (more or less).
- (b) The contract of purchase and sale resulting from the acceptance of the Option to Purchase referred to in (a) above being closed at the same time as the contract of purchase and sale resulting from the acceptance of this Offer to Purchase.
- (c) The Minister of Housing of The Province of Ontario approving this sale of land by the City of Hamilton to Re-Vest Holdings Ltd. pursuant to Section 22 of The Planning Act.

If the above conditions cannot be met or complied with on or before closing, then the contract of purchase and sale arising from the acceptance of this Offer shall be null and void.

14. Approval of the acquisition by the City of all of Lots 9 and 13, Parts of Lots 7, 8 and 10 - Block 5 - David Kirkendall Survey Registered Plan 39 and all of Lots 4, 5, 6, 7 and 8, part of Lot 3 - George Burton Survey - Registered Plan 262, the said vacant parcel of land being located at the north east corner of York Boulevard and MacNab Street, and extending northerly to Vine Street and containing 47,089 square feet, (more or less), all of Lots 6, 8 and 9 and part of Lots 7, 10, 11 and 12, - Block 6, David Kirkendall Survey, Registered Plan 39, the said parcel of vacant land having a frontage along the north limit of Vine Street, along the eastern limit of MacNab Street North and along the southern limit of Cannon Street West and containing 43,055 square feet (more or less), from Re-Vest Holdings Limited for the sum of \$1,607,775.00.

It is understood and agreed that the final purchase price of the parcels of property described herein shall be calculated at a rate of \$25 per square foot applicable to Parcel 1 and \$10 per square foot applicable to Parcel 2, with these rates being applied to the exact areas of the said parcels, the areas being determined by the City Surveyor upon completion of a survey of the said lands. This may result in an upward or downward adjustment to the approximate purchase price of \$1,607,775.00 as stated on the face page of this Option.

The closing of this contract of purchase and sale resulting from the acceptance of this Option to Purchase is conditional upon:-

- (a) The Corporation of the City of Hamilton accepting the Offer to Purchase made by Re-Vest Holdings Limited dated for acceptance by May 15, 1981 pertaining to the purchase by Re-Vest Holdings Limited from the City of part of Lot 1, York Survey, Registered Plan No. 1396, being a vacant parcel of land situated at the south-east corner of York Boulevard and Hess Street North.

- (b) The contract of purchase and sale resulting from the acceptance of the Offer to Purchase referred to in (a) above being closed at the same time as the contract of purchase and sale resulting from the acceptance of this Option to Purchase.

If the above conditions cannot be met or complied with on or before closing, then the contract of purchase and sale arising from the acceptance of this Option to Purchase shall be null and void.

It is further recommended that the financing of this land exchange be accomplished in the following manner:-

- (a) That the sale price of \$1,043,925.00 be credited to the York Street Urban Renewal Capital Receipts Account, known as Land Sales Account No. 0412-Y91014 and that 25% of this amount be forwarded to the Province of Ontario as its urban renewal share of this sale and that this amount of \$260,981.00 be charged to York Street Urban Renewal Capital Receipts Account, Province of Ontario, Account No. 0412-Y91024. The net funds available to the City amount to the difference between these two figures which is \$782,944.00.
- (b) That in view of the excess funds resulting from this land sale and that the City of Hamilton formerly assigned capital levy monies in the amount of \$706,000.00 for financing the York Street Urban Renewal Project that \$368,000.00 of this amount be credited to the Reserve for Off-Street Parking, Account No. 0280-14.
- (c) That the excess funds in the Capital Account for Land Projects of the Parking Authority, Account No. 0411-P94002 in the amount of \$584,700.00 be transferred back to the Reserve for Off-Street Parking, Account No. 0280-14.
- (d) That the total cost of \$1,607,775.00 be financed from the Reserve for Off-Street Parking, Account No. 0280-14 based on a transfer of funds as recommended in Items (a), (b), and (c) above of this resolution.

·RESPECTFULLY SUBMITTED,

ALDERMAN P. O. VALERIANO,
CHAIRMAN, FINANCE COMMITTEE.

R. M. Collier, Secretary.
April 9, 1981.

REPORT OF THE LEGISLATION COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council.

The Legislation Committee presents its EIGHTH Report and respectfully recommends:

GRANTS AND CIVIC HOSPITALITY

1. That a grant in the amount of \$250.00 be made to the Hamilton Checker Club to be used to assist in staging and hosting the Canadian Open Checker Championships to be held in the City of Hamilton September 5, 1981. This tournament will bring together over 100 top checker players from across Canada and the Northern United States.
2. That a grant in the amount of \$300.00 be made to Theatre Aquarius Inc. to assist in offsetting the cost of incidental expenses of the visit of the Lieutenant Governor of Ontario to Hamilton on April 10, 1981 to attend a dinner followed by the Ontario premiere performance of "On Golden Pond". Approximately 40 people will attend the dinner.
3. That a grant in the amount of \$300.00 be made to the Hamilton B'Nai B'rith Bowling League to assist in defraying expenses in connection with their Bowling Convention to be held in the City of Hamilton from November 13-15, 1981. Estimated attendance, 600 delegates.

CIVIC AWARDS

4. That civic awards be made to the following:
 - a) Members of the Steel City Riders' Motorcycle Club who brought honours to the City of Hamilton in 1980 and 1981 by winning races at the Provincial and National Championships.

RESOLUTIONS

5. That the following resolutions be endorsed:

- a) City of Toronto

"WHEREAS after discussing the matter for a year, the Ontario Government has not agreed to a request to participate with the City of Toronto in a demonstration project concerning energy conservation in residential buildings; and

WHEREAS the Federal Government officials have informally indicated great interest in cooperating with the City of Toronto in the matter of energy conservation; and

WHEREAS a report from the Commissioner of Planning and Development and the Commissioner of Buildings and Inspections dated March 5, 1981, recommended submission of a proposal respecting a demonstration project to the Federal Government; and

/2...

WHEREAS energy conservation is an urgent matter; and

WHEREAS Council will not meet again until April 9;

THEREFORE BE IT RESOLVED THAT Council now adopt the recommendations of the Commissioner of Planning and Development and the Commissioner of Buildings and Inspections, dated March 5, 1981, as amended and adopted by the Sub-Committee on Energy Conservation of the City Services Committee, viz.

1. That the Commissioner of Planning and Development and the Commissioner of Buildings and Inspections be requested to submit a proposal to the Federal Government with the intent of getting the proposed demonstration project under way in 1981.
2. That the Mayor be requested to contact the Minister of Energy, Mines and Resources and indicate City Council's strong interest in seeing the project proceed.
3. That municipalities in Ontario with over 100,000 population be advised of the City's proposal and be encouraged to submit similar proposals."

b) City of Hamilton

"WHEREAS the incidence of serious fires in highrise buildings, e.g., hotels, nursing homes and lodging houses, resulting in deaths and injuries to occupants is increasing; and

WHEREAS the extent of such fires is the result of inadequate fire safety regulations and legislation particularly for buildings built prior to the Ontario Building Code, 1974, and

WHEREAS an Ontario Fire Code would require:

- a) periodic checks, inspections and tests of existing fire safety equipment and that records be kept;
- b) emergency planning by supervisory staffs of certain buildings including the holding of fire drills;
- c) the updating of existing fire safety provisions with options available which can be selected for compatibility and minimal economic impact, and

WHEREAS the proposed Ontario Fire Code which was gazetted on January 13, 1979 was circulated for public comment and received mixed comments.

THEREFORE BE IT RESOLVED that the Corporation of the City of Hamilton urge the Ontario Government to legislate, as soon as possible, an Ontario Fire Code based upon the 1980 National Fire Code which would serve as a companion document to the Ontario Building Code, that this resolution be circulated to all Ontario municipalities of over 20,000 population requesting that they endorse same and forward their resolve to the Government of Ontario."

c) City of Burlington

"That the Minister of Intergovernmental Affairs be requested to amend the Municipal Act to provide municipalities with specific authority to withhold renewals of business licenses where there are any taxes or interest, or penalties on taxes owing."

6. That the following resolutions not be endorsed.

a) City of North York

"WHEREAS the incidence of serious fires in highrise buildings, e.g., hotels, nursing homes and lodging houses, resulting in deaths and injuries to occupants is increasing; and

WHEREAS the extent of such fires is the result of inadequate fire safety regulations and legislation particularly for buildings built prior to the Ontario Building Code, 1975, and

WHEREAS the proposed Ontario Fire Code would require:

- a) periodic checks, inspections and tests of existing fire safety equipment and that records be kept;
- b) emergency planning by supervisory staffs of certain buildings including the holding of fire drills;
- c) the updating of existing fire safety provisions through options selected for compatibility and minimal economic impact, and

WHEREAS the proposed Ontario Fire Code which was gazetted on January 13, 1979 is still to be legislated;

THEREFORE BE IT RESOLVED that the Corporation of the Borough of York urge the Ontario Government to legislate, as soon as possible, the proposed Ontario Fire Code with specific inclusion of (Part 9) which deals with the updating of fire safety standards where required, and further, that this resolution be circulated to all Ontario municipalities of over 20,000 population requesting that they endorse same and forward their resolve to the Government of Ontario."

b) Borough of Etobicoke

"WHEREAS Council has expressed dissatisfaction with the existing procedure of statutory appeals to the Provincial Cabinet, and in particular, petitions pursuant to Section 94 of The Ontario Municipal Board Act;

AND WHEREAS Council desires greater regularization in such matters to ensure that the rights of all parties are fully protected having regard to the principles of, inter alia, due process and natural justice;

NOW THEREFORE BE IT RESOLVED THAT the Clerk of the Ontario Cabinet (Executive Council) and the Attorney General be contacted to express the wish of this Municipal Council that Rules of Procedure embodied in legislation or the regulations thereto be established to;

1. Provide for specific provisions for Notice of Appeals and Petitions to the Cabinet, including time limits and methods of service, and to ensure that the Council of any Municipality whose interest may be directly or indirectly affected, is provided with such notice and given an opportunity to respond;
2. Establish Rules of Procedure for the presentation of Appeals, Petitions and responses thereto including the presentation of evidence, including new evidence, ensuring that all parties are given notice of such evidence and offer the opportunity to respond;
3. Ensure, where clarification or expansion of any fact or issue is required by the Cabinet, or where further matters not raised in the Appeal, Petition or responses thereto are required to be considered by the Cabinet, that all parties be notified in accordance with accepted principles of due process and natural justice and that full argument and reply be granted;
4. Provide procedure for an expeditious resolution of an Appeal or Petition where it is proven that such Appeal or Petition is an abuse of the process, is frivolous or vexatious, or would cause undue delay to the prejudice or detriment of any party."

CITY HALL FACILITIES

7. That permission be granted to the Canadian Polish Congress to use the City Hall Council Chamber on Saturday, May 2, 1981 and to fly the Polish Flag on City Hall.
8. That permission be granted to the Downtown Churches Association to use the City Hall Forecourt on Sunday, April 12, 1981 for a 20 minute service.

OTHER

9. That reciprocal reduced fares for visiting senior citizens and students, as proposed in a memorandum dated March 19, 1981 from Glenys Parry, Executive Director of the Federation of Canadian Municipalities (fcm) not be supported at this time in view of the additional cost involved to the citizens of the City of Hamilton and the lack of detail concerning the mechanism for administration and monitoring of such a program.
10. That a City of Hamilton Logo be established as per the attached design and colours.

Note: For the information of the Members of City Council, it is intended that this Logo will be used on a variety of City documents, but it is not intended to replace the official coat of arms which will continue to be used as required on official correspondence and documents.
11. That renovations be undertaken to the west wing of the second floor of City Hall as per drawings completed by the City Architect to provide for office accommodation for the Chief Administrative Officer and also the relocation of the Press Room to the mezzanine floor at a total estimated cost of \$54,160.00

The Finance Committee has recommended that the estimated cost of \$54,160.00 be financed from the Reserve for Contingency - Specific Projects, Account No. 0280-10.

12. That leave be granted to introduce the following bill:

Bill B-24 - By-law to confirm proceedings of The Council of The Corporation of the City of Hamilton.

Respectfully submitted,

Alderman J. MacDonald, Chairman

S.G. Hollowell, Secretary
April 10, 1981
SGH/sma



THE CORPORATION OF THE CITY OF HAMILTON
71 Main Street West, Hamilton, Ontario L8N 3T4

Refer to File No.

Attention of

Your File No.

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its NINTH Report for 1981 and respectfully recommends:

1. That the rental fee for lockers at the King's Forest Golf Course be increased from \$10.00 to \$20.00, per season, effective 1981.
2. That permission be granted to the Buchanan Park Community Playground Committee to conduct a sale of bedding plants at Buchanan Park, Saturday, May 23rd, 1981 from 1:00 o'clock p.m. to 5:00 o'clock p.m., on the understanding that the proceeds from this sale will be utilized for the purchase and installation of creative playground equipment.
3. That permission be granted to Hillcrest Dairy Limited to use the name "The Old Dundurn Castle Restaurant" with respect to the proposed restaurant facilities at Dundurn Castle.
4. (a) That the present policy of not permitting dew worm picking in any City Park, be amended to allow for the leasing out of the Chedoke Golf Courses for the purpose of picking dew worms during the 1981 season only.
- (b) Approval of the awarding of the following contract:

HORVAT'S LIVE BAIT CO., STONEY CREEK, ONTARIO

Re: Public Works Department - Parks Division

Dew worm picking rights on the Chedoke Civic Golf Courses in accordance with the specifications issued by the Director of Purchases and the vendor's quotation \$8,000.00.

NOTE: Highest of two (2) quotations received.

5. (a) That the functions and responsibilities presently under the jurisdiction of the Director of Recreation and the Managing Director, Hamilton Historical Board, be combined and placed under the jurisdiction of a new civic department to be known as the Department of Culture and Recreation.

. 2.

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6. (b) That this new department act as the City's liaison with other cultural facilities such as the Library and Hamilton Place.
- (c) That Miss Audell Schimmel be appointed Director, Department of Culture and Recreation.

Respectfully submitted,

ALDERMAN K. M. EDGE, CHAIRMAN
PARKS AND RECREATION COMMITTEE

J. J. Schatz, Secretary
April 2, 1981

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its TWELFTH Report and respectfully recommends:-

1. That approval be given to City Initiative 81-G to amend Zoning By-law 6593 so as to establish the "R-4" (Small Lot Single Family Detached) District regulations as follows:-

i) That a new Section 9A, "R-4" (Small Lot Single Family Detached) District be added to By-law No.6593 with the following regulations:

a) Uses Permitted

- (1) Accessory buildings, structures and uses customarily ancillary to any of the uses listed in this section.
- (2) One Single Family Dwelling, together with the accommodation of lodgers to the number of not more than three.
- (3) One Semi-detached Dwelling together with the accommodation of lodgers to the number of not more than three per dwelling unit.
- (4) One Residential Care Facility.

b) Provisions for Accessory Buildings and Structures

(1) Location

- i) Permitted in a non-required side yard;
- ii) Permitted in a rear yard, provided:
 - (a) minimum distance from rear lot line - 0.5 m (1.64 ft.);
 - (b) minimum distance from side lot line - 0.5 m (1.64 ft.);
 - (c) on corner lots minimum distance from flankage street - 1.2 m (3.9 ft.).

(2) Lot coverage

The total area of all accessory buildings and structures shall occupy not more than 30% of the rear yard.

(3) Height - maximum 4.0 m (13.12 ft.).

c) Provisions for Single-Family Dwellings

(1) Area Requirements

- i) Lot Area Minimum - 278.0 sq. m (2,992.4 st. ft.)
provided that the average lot area
area shall be 306.0 sq. m
(3,293.8 sq. ft.);
- ii) Lot Width Minimum - 9.0 m (29.5 ft.) provided that the
average lot width shall be 10.0 m
(32.8 ft.).

(2) Yard Requirements

- i) Front Yard Minimum - 6.0 (19.68 ft.);
- ii) Side Yard Minimum
 - a) Interior Lot - 1.2 m (3.9 ft.) except that one side
yard may be less than 1.2 m (3.9 ft.);
 - b) Corner Lot - one side yard may be less than 1.2 m
(3.9 ft.) except the flankage side yard
which shall be a minimum of 1.2 m
(3.9 ft.);
 - c) Notwithstanding subclauses ii)a) and b) of clause (2),
Yard Requirements, where a side yard abuts any other
residential district such side yard shall be a minimum
of 1.2 m (3.9 ft.);
- iii) Rear Yard Minimum - 7.5 m (24.60 ft.).

(3) Distance Separation Between Buildings

The minimum distance between buildings on adjacent lots shall be
1.2 m (3.9 ft.).

(4) Height - 11.0 m maximum (36.08 ft.).

(5) Average Lot Width - shall mean the numerical result obtained by
dividing the sum of individual lot widths by
the total number of lots zoned "R-4" within a
plan of subdivision.

Average Lot Area - shall mean the numerical result obtained by
dividing the sum of individual lot areas by
the total number of lots zoned "R-4" within a
plan of subdivision.

d) Provisions For Semi-detached Dwellings

(1) Area Requirements

1) Lot Area Minimum - 540.0 sq. m (5,812.70 sq. ft.)

ii) Lot Width Minimum - 18.0 m (59.0 ft.)

(2) Yard Requirements

i) Front Yard Minimum - 6.0 m (19.68 ft.)

ii) Side Yard Minimum - 1.2 m (3.9 ft.)

iii) Rear Yard Minimum - 7.5 m (24.60 ft.)

(3) Height - 11.0 m maximum (36.08 ft.)

e) Provisions for Residential Care Facilities

(1) Area Requirements

i) Lot Area Minimum - 360 sq. m (3,875.13 sq. ft.)

ii) Lot Width Minimum - 12.0 m (39.37 ft.)

(2) Yard Requirements

i) Front Yard Minimum - 6.0 m (19.68 ft.)

ii) Side Yard Minimum - 1.2 m (3.9 ft.)

iii) Rear Yard Minimum - 7.5 m (24.60 ft.)

(3) Height - 11.0 m maximum (36.08 ft.)

(4) Accommodation

The number of residents shall not exceed a maximum of six.

(5) Radial Separation Distance

There shall be a minimum radial separation distance of 180.0 m (590.55 ft.) measured from property line to property line between Residential Care Facilities, and between Residential Care Facilities and Short Term Care Facilities.

(6) Off-street Parking and Loading

One parking space per 3 residents.

f) Prohibition of Ground Unit Central Air Conditioners and Heat Pumps in the Side Yard

(1) A ground unit central air conditioner or heat pump shall not be permitted within 1.2 m of a property line.

ii) That Section 2 - Interpretation and Definitions of By-law 6593 be amended by adding the following definition to subsection 2.(2)A.

Semi-detached Dwelling - shall mean a separate building divided vertically into two dwelling units by a solid common wall extending from the base of the foundation to a roofline for a minimum 2.0 m (6.5 ft.) horizontal depth of the building.

- iii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 accordingly and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE

The by-law will establish a new "R-4" (Small Lot Single Family Detached) District with appropriate regulations and definitions.

2. That the following policy be adopted in order to establish criteria at the neighbourhood level for various forms of low density residential development:

- 1) The maximum permitted number of lots for "small lot single family detached" development, or "semi-detached" development or any combination thereof, shall not exceed 50% of the total number of residential lots in a neighbourhood.

NOTE: This percentage may be reduced depending upon the character of existing development and the individual merits of each proposed new development.

- ii) A minimum of 50% of residential lots in a neighbourhood shall consist of conventional lots, with a minimum width of 12.0 m (39.37 ft.) and an area of 360 sq m (3,875.13 sq. ft.) or larger for single family detached development.

3. That the following policies be adopted with regard to maintenance easements:

- a) As a condition of the subdivision agreement, the developer shall be required to prepare and register on title a reference plan showing the area of maintenance easements for each lot subject to the following requirements:

- 1) The width of the required easement shall be equal to the difference between 1.2 m (3.9 ft.) and the width of the existing reduced side yard.
- ii) The easement area shall run from the front lot line to a point 7.5 m distant from the rear lot line.
- iii) The easement agreement shall stipulate that property line fences, structures, trees and shrubs shall not be located in the easement area between two adjacent buildings.

Notwithstanding the restriction on fences within the easement area

between adjacent buildings, a fence which is approximately perpendicular to both adjacent buildings and which is approximately perpendicular to the property line may be constructed within said easement area.

- iv) The easement agreement shall state that above grade, and below grade maintenance, shall be permitted including all reasonable undertakings necessary to effect repairs and maintenance and that all property within the easement area shall be restored to its former condition.
- v) The easement agreement shall make reference to a reasonable time period (e.g. 9:00 a.m. to 9:00 p.m.) in which normal repairs, (emergency situations excepted) may be carried out.
- b) Where easements and/or lots are conveyed via the lifting of a "part-lot control", conditions shall be included in the subdivision agreement which incorporates the following:
 - i) Require the building or developer at the time of conveyance of each lot to register on title a restrictive covenant which prohibits the further subdivision of land during the period that "part-lot control" is lifted.
 - ii) Require that all sales agreements contain a clause in which the purchaser agrees not to further subdivide his lands during the period that "part-lot control" is lifted.

4. That approval be given to Zoning Application 81-01, Sharrongayle Investments, Harvey Johnson, owners, to establish a change in zoning from "J" (Light and Limited Heavy Industrial) District as modified, and "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, to "H" (Community Shopping and Commercial, etc.) District, of lands located at #181 Hunter Street East, as shown on the attached plan marked as APPENDIX "A", on the following basis:

- 1) that the subject lands be rezoned from "J" (Light and Limited Heavy Industrial) District and "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "H" (Community Shopping and Commercial, etc.) District, modified to include the following variances and restrictions:
 - i) that a 1.5 m (4.92') wide planting strip be provided and maintained along the easterly property limit adjacent to the "E" District;
 - ii) that the amending By-law be added to Section 19(b) of the Zoning By-law as Schedule S-730 and that the subject land on Zoning District Map E-5 be notated S-730;
 - iii) that the City Solicitor be directed to prepare a By-law to amend Zoning By-law 6593 and Zoning District Map E-5, and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk;
 - iv) that the Corktown Neighbourhood Plan be amended accordingly;
and

v) that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

- 2) that By-law 79-275 establishing site plan control be amended by adding to Schedule "B" the lands described on the plan marked as APPENDIX "A" attached, and that the City Solicitor be directed to prepare a by-law accordingly.

EXPLANATORY NOTE

The By-law will provide a change in zoning from "J" (Light and Limited Heavy Industrial) District and "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "H" (Community Shopping and Commercial, etc.) District to permit the existing building located at #181 Hunter Street East to be used for retail stores restaurant uses. The location of this property is shown on Zoning District Map E-5.

5. That Zoning Application 80-93 Kieran F. Begadon, owner, requesting a change in Zoning from "C" (Urban Protected Residential - Single Family Dwellings, etc.) District to "C" modified to permit the sale and display of trophies from the basement of an existing single family dwelling be refused for the following reasons:

1. The proposed change in zoning does not comply with the intent of the Official Plan or the Bruleville Neighbourhood Plan, which designates the property for residential uses. The proposed use is not a neighbourhood commercial operation but instead serves a much broader community base.
2. Approval could set a precedent for similar applications in the future.
3. The trophy business cannot be considered a "Home Occupation" but rather it is a retail commercial use because the applicant cannot satisfy Section 2.(2) H (iii)(d) (Existing definition of Home Occupation) of Zoning By-law 6593.
4. The applicant cannot satisfy the provisions of the recently revised definition of a "Home Occupation" which is currently awaiting O.M.B. approval.

6. (a) That approval be given to the Crown Point West Neighbourhood Plan attached as APPENDIX "B" to establish policies to guide future land use comprising 121.4 hectares (300 acres) of land in the area bounded generally by Gage Avenue, the C.N.R. Tracks Ottawa Street North and Main Street East.

Policies

The Crown Point West Neighbourhood Plan has been prepared:

- i) To identify and consolidate those areas within the Neighbourhood which should be preserved in their present uses, and to establish appropriate changes in the Official Plan and Zoning By-law.
- ii) To identify those areas where redevelopment is considered desirable and

to establish appropriate changes in the Official Plan and Zoning By-law.

iii) To provide for new park areas as indicated on the Plan to be established in the future.

History

In the evolvement of this Plan, a Citizens' Committee was formed to review and recommend future plans for the area in conjunction with staff from the Planning Department. The Plan was presented at two public meetings, held February 4th and 5th, 1976.

All property owners and residents in the area were notified by mail and/or press notice. A meeting was held by the Planning and Development Committee on October 13th, 1976 to review the Plan and submissions. A further public meeting was held June 9th, 1980 to consider a location for the neighbourhood park.

Note:

It is not the intention that the Neighbourhood Plan should be entirely rigid, and necessary changes will be effected, when detailed studies indicate the need for such change.

(b) That approval be given to Official Plan Amendment 358 to establish changes in the land use designation to implement the Crown Point West Neighbourhood Plan for the area bounded by Main Street East, Gage Avenue, the C.N.R. tracks and Ottawa Street North and that the City Solicitor be directed to prepare a by-law to adopt this Official Plan Amendment for submission to the Minister of Housing.

(It is also the intention to modify the new Official Plan presently before the Minister of Housing, to implement the Crown Point West Neighbourhood Plan).

(c) That approval be given to City Initiative #76-A to establish the following changes in Zoning to implement the Crown Point West Neighbourhood Plan as described on the Plan at APPENDIX "C" attached, on the following basis:

Areas 1, 2, 5, 6, 7, 8, 9, 11, 12, 13 and 19, change from "H" (Community Shopping and Commercial, etc.) District, to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District.

Areas 3 and 4, change from "K" (Heavy Industry, etc.) District to "JJ" (Restricted Light Industrial) District as modified to permit commercial uses as stipulated in Section 16(1) clauses (iv) to (ix) inclusive of By-law 6593.

Area 10, change from "H" (Community Shopping and Commercial etc.; District to "DE" (Low Density Multiple Dwellings) District.

Areas 14, 16 and 21, change from "H" (Community Shopping and Commercial etc.) District to "E" (Multiple Dwellings, Lodges, Clubs etc.) District as modified to prohibit Section 11(1) Clauses v and viii of By-law 6593.

Areas 15, 17, 18, 20 change from "H" (Community Shopping and Commercial etc.)

District to "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District as modified to prohibit Section 11(1) Clauses v and viii of By-law 6593.

That the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-746 and that areas 3, 4, 14, 15, 16, 17, 18, 20, 21, 22 on Zoning District Map E-43 be notated S-746.

That the City Solicitor be directed to prepare a by-law to amend Zoning By-law #6593 and Zoning District Map E-43 accordingly.

EXPLANATORY NOTE

The amending by-law will provide for changes in zoning of certain specified properties within the area bounded by Main Street East, Gage Avenue, the C.N.R. Tracks and Ottawa Street North. These changes relate to the lands described as Areas 1 to 21 on the Plan at APPENDIX "C" attached, and are intended to implement parts of the approved Crown Point West Neighbourhood Plan, where a more restricted zoning is projected.

7. That a Downtown Liaison Committee be established to ensure that recommendations which may be submitted to the Planning and Development Committee from time to time are in accordance with the implementation of plans for the overall Downtown Area. It is respectfully recommended that the members of this Liaison Committee be as follows:-

Mr. L. Sage, C.A.O. - Chairman
Mr. J. Prestedge - Vice-Chairman
Mr. D. Lychak, Regional Planning Commissioner
Mr. J. Morand, Regional Director of Economic Development
Mr. W. Gerofsky
Mr. J. Ross
Mr. J. Nolan, Chamber of Commerce

It is further recommended that this Committee have the power to add, and meet at the call of the Chairman.

8. That the Building Commissioner be authorized to issue demolition permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:-

15 Grafton	102 Mohawk Road West
339 Jackson Street West	30 Gerrard Street
32 Gerrard Street	179 Stone Church Road West
80 Century Street	84 Century Street
28 Duke Street	11 Arthur Street South
157, 159 and 161 Hunter Street West	

9. That the Building Department, Community Development Department and the Fire Prevention Bureau, be permitted to rent jointly an Information Booth at the First Annual Hamilton Home Show to be held in the Hamilton Trade and Convention Centre March 4th to 7th 1982 at an estimated cost of \$5,000.00. It is further recommended that the Finance Committee be requested to recommend the method of financing.

10. That the City Solicitor be authorized and directed to prepare a by-law for the demolition of the buildings and the clearing of the lands at the properties known as 89 and 93 Century Street.

11. That the City Solicitor be authorized and directed to prepare a By-law to amend By-law 68-360 to define abandoned refrigerators or freezers and other appliances as "domestic waste of any kind", therefore requiring that all land or structures be kept free and clear of such appliances. This By-law also to authorize the City to remove hinges or locking mechanisms from refrigerators or other appliances where there is a hazard.

12. Approval by the Owner, Gertrude Hattie Fox, to accept compensation for the purchase by the City of all interests in the real property known as 2-6 York Street and 35 MacNab Street North, having a frontage on the north side of York Street of 68.25 ft. and containing an area of 2,154 sq. ft. for the sum of \$80,629.60 plus interest. This amount should be charged to Account 0405-Y90196.

13. Approval of the following addition to a Contract previously approved by City Council:-

Pigott Construction Ltd. re: Hamilton Convention Centre for the installation of the interlock of chemical feed pumps with water spray pumps in the total amount of \$3,333.20 in accordance with Change Order No.1093.

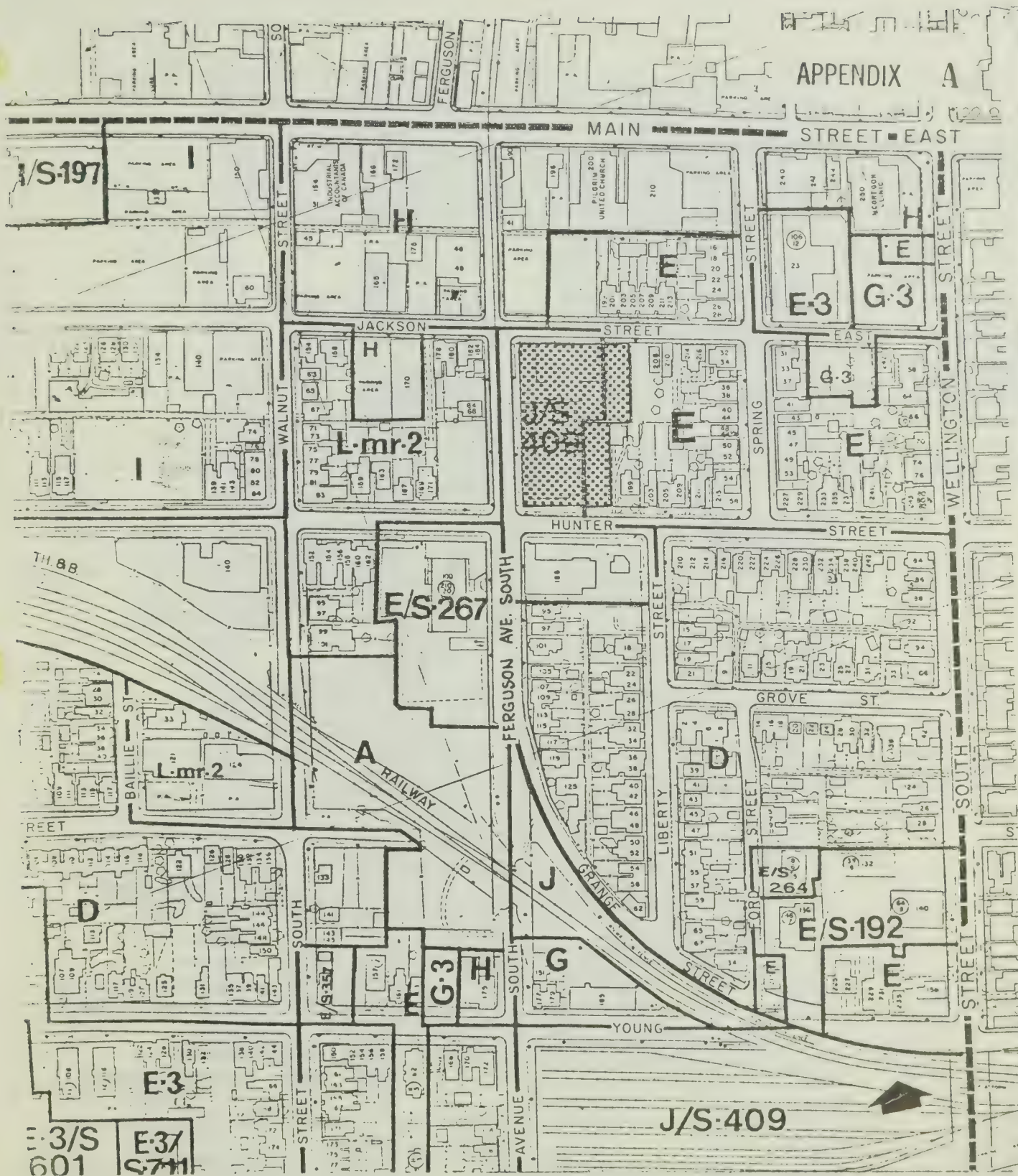
14. That leave be granted to introduce the following Bills:-

- (a) D-52 - By-law to Adopt Official Pland Amendment No.356 respecting land located at the south-east corner of Main Street East and Albert Street, Municipal No.876 Main Street East
- (b) D-53 - By-law to amend Zoning By-law No.6593 respecting land located at Municipal No.876 Main Street East
- (c) D-54 - By-law to establish Site Plan Control respecting land located at Municipal No.876 Main Street East
- (d) D-55 - By-law to authorize Demolition and Clearing of Buildings, Structures, Debris or Refuse at Municipal No.89 Century Street
- (e) E-56 - By-law to authorize Demolition and Clearing of Buildings, Structures, Debris or Refuse at Municipal No.93 Century Street

Respectfully submitted,

JDT:bg
April 3, 1981

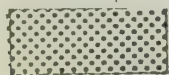
Alderman W. M. McCulloch, Chairman
Planning and Development Committee



APPENDIX A

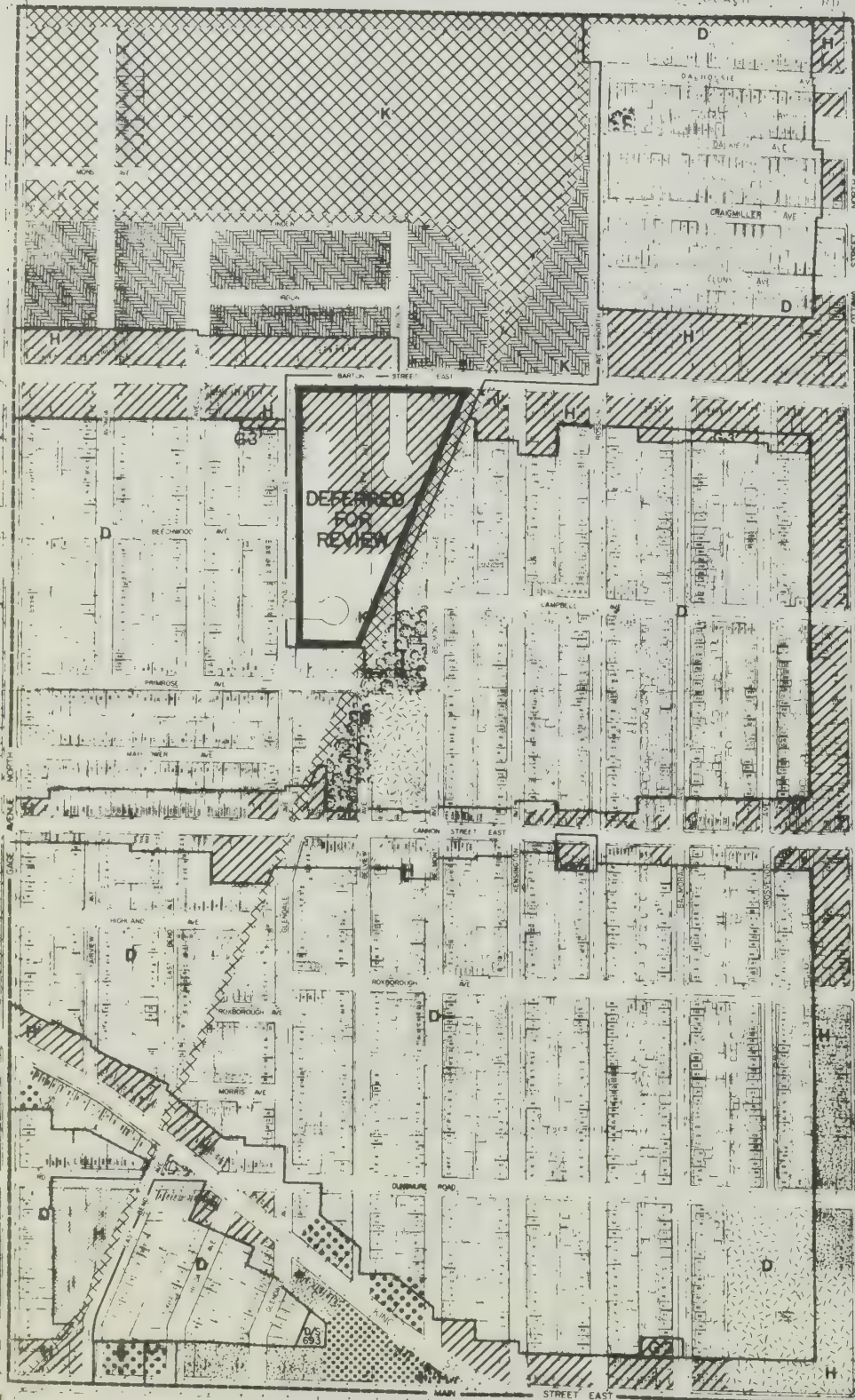
APPENDIX A

LEGEND



Lands for which a change in zoning from "J"/S-409" (Light and Limited Heavy Industry, etc.) District and "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "H" (Community Shopping and Commercial, etc.) District is proposed.

APPENDIX B



NOTE:

THIS IS A GUIDE PLAN ONLY AND IS SUBJECT TO CHANGE. FOR DETAILS CONTACT THE LOCAL PLANNING DIVISION OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH. PRELIMINARY DESIGN ONLY.

LAND USE

RESIDENTIAL

- single, double & attached housing
- low density apartments
- medium density apts.
- commercial conversion + low density apts.
- commercial & apts.

- COMMERCIAL
- INDUSTRIAL
- CIVIC & INSTITUTIONAL
- PARK & RECREATIONAL

- UTILITIES
- COMMERCIAL & INDUSTRIAL

- Neighbourhood Boundary
- Zoning Boundary
- Staging of Development Boundary

Approvals	
Planning Bd.	Council
Revisions	

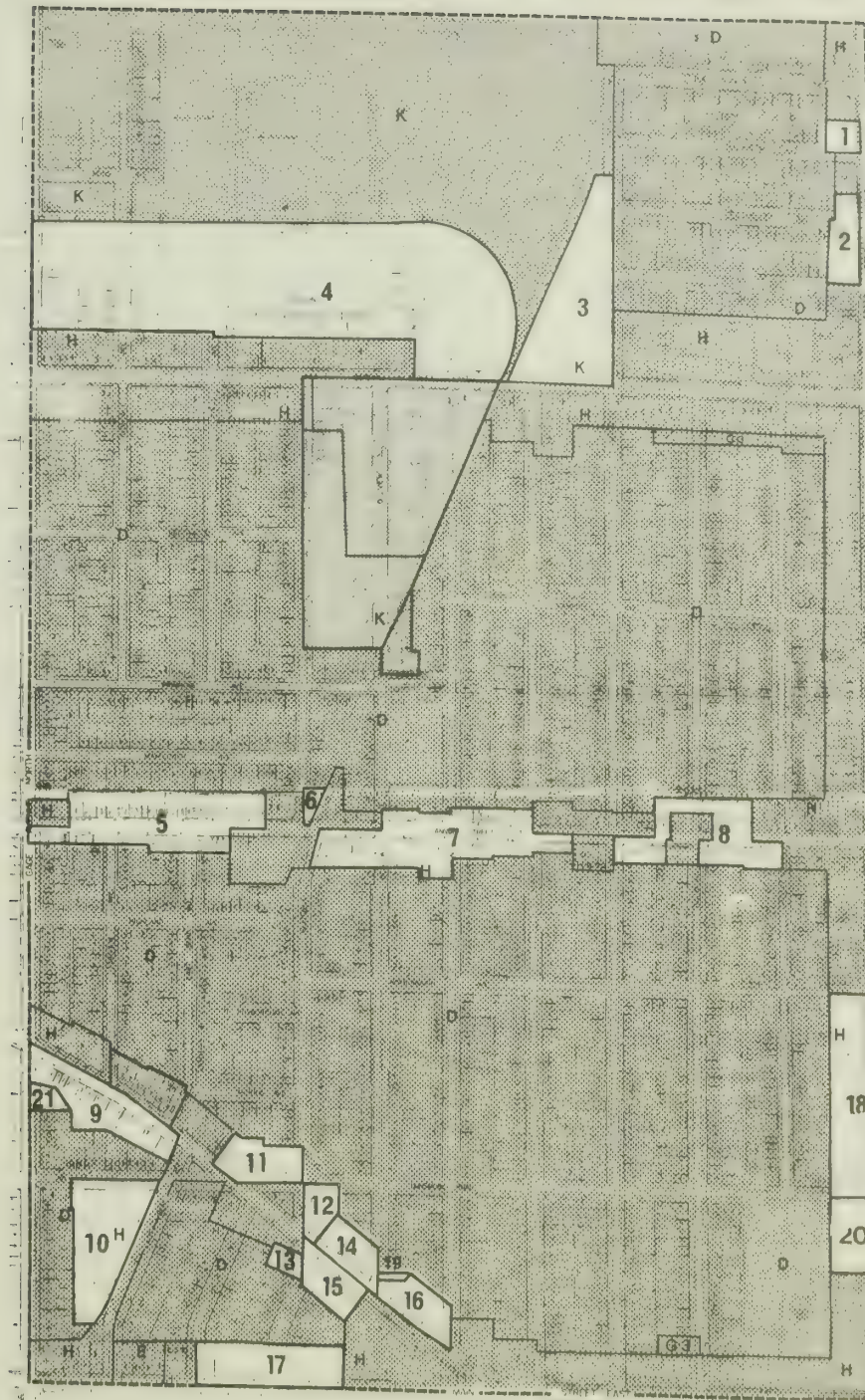
NOV. 1971
FEBRUARY 1972
JULY 11, 1973
FEB 15, 1975
MARCH 1975

JAN 22, 1976
JULY 1976
OCT 1976

CITY OF HAMILTON
PLANNING DEPARTMENT
**CROWN POINT WEST
PROPOSED PLAN**



APPENDIX C



1. From "H" to "D"
2. From "H" to "D"
3. From "K" to Modified "JJ"
4. From "K" to Modified "JJ"
5. From "H" to "D"
6. From "H" to "D"
7. From "H" to "D"
8. From "H" to "D"
9. From "H" to "D"
10. From "H" to "DE"
11. From "H" to "D"
12. From "H" to "D"
13. From "H" to "D"
14. From "H" to Modified "E"
15. From "H" to Modified "E-1"
16. From "H" to Modified "E"
17. From "H" to Modified "E-1"
18. From "H" to Modified "E-1"
19. From "H" to "D"
20. From "H" to Modified "E-1"
21. From "H" to Modified "E"

REZONING PROPOSALS INDEX PLAN

CROWN POINT WEST

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its EIGHTH Report for 1981 and respectfully recommends:

1. That the recommendations of the Director of Purchases respecting the following, be approved:

- (a) Two-Way Communication System - Motorola Electronic Sales Ltd.
For the supply and installation of Combined Mobile Communication System for the City of Hamilton and Regional Municipality of Hamilton-Wentworth, in accordance with specifications issued by the Director of Purchases and Vendor's Tender, including a letter from Motorola dated March 27, 1981, which is the reponse to negotiations conducted by the Director of Purchases, the Consultants, and the representative from Motorola. Excluded from the Vendor's Tender is the Preventative Maintenance Programme, and the progress payment schedule, which shall be negotiated to the satisfaction of the Director of Purchases for the sum of \$722,700.76. Plus applicable sales tax. Lower of 2 acceptable tenders.

Note: A purchase order is to be issued for the full amount of the contract, as the Tender Call was made by the City of Hamilton on behalf of the Regional Engineering Department, the Regional Municipality of Hamilton-Wentworth will issue a Purchase Order to the City of Hamilton in the amount of \$342,604.38 plus applicable taxes leaving a balance of \$380,096.38 plus applicable taxes, which is the City's portion of the total order.

- (b) Preventative Maintenance re Honeywell Controls: Honeywell Ltd.
Preventative Maintenance for 1981 of various controls at the Central Utility Plant, Parking Garage, Library and Market - \$59,640.00.

Note: Only Supplier

2. Whereas under By-law No. 755, enacted on October 29, 1894, and subsequently by Agreement dated December 12, 1895, the City confirmed by Provincial and Federal Statutes in 1895, agreed to a grant of Two hundred and twenty-five thousand dollars (\$225,000.00) in debentures to the T.H.&B on the

condition that the T.H. & B would construct and operate a railway line between (inter alia) Hamilton and Welland and whereas it was understood that if the condition was not met, the T.H. & B would return the money plus interest, it is therefore recommended that, subject to receiving and approving cost estimates, the Legal Firm of McTaggart, Potts, Stone, Winters & Herridge be retained to provide the City with a legal opinion as to the prospects of success in a civil suit to recover the estimated amount as at April 2, 1979, of Nineteen million two hundred and sixty-five thousand nine hundred and seventy Dollars (\$19,265,970.00).

3. That easements be granted over a portion of road allowance between Concessions 6 & 7, Barton Township (formerly Limeridge Road West - Now Closed) also known as Part 6, on Reference Plan 62R-539, to both Bell Canada Limited and the Hamilton Hydro Electric System.

Note: A recent approval for the sale of lands to Ontario Land Corporation contained the condition that easements be granted to Bell Canada & Hamilton Hyrdro.

It was noted during the course of the survey for the granting of an easement to the Regional Municipality of Hamilton-Wentworth over part of these saleable lands, that the intention to grant easements to these two utility companies over adjacent lands had never been carried out.

4. Whereas an agreement respecting the encroachment of the building on Hughson Street and Main Street East was entered into by the City of Hamilton and the owners or assigns of 18 Main Street East, dated 64 10 28 and registered as Instrumnt No. 299414 H.L. and whereas the building no longer exists, it is now recommended:

- (i) That the owners of assigns discharge the said agreement at their expense, to the satisfaction of the City Solicitor
- (ii) That the appropriate official, be authorized to execute the documents in relation to this discharge.

5. That the recommendations of the Commissioner of Engineering respecting the following encroachment applications:

- (i) 11 Hess Street South - An existing building encroaching onto the road allownce of Hess Street South by a maximum of 1.19 m (3.90 ft.) for an approximate distance of 2.87 m (9.43 ft.)
- (ii) 13 Hess Street South - An existing porch encroaching onto the road allowance of Hess Street South by a maximum of 0.63 m (2.08 ft.) for an approximate distance of 3.21 m (10.52 ft.)
- (iii) 20 Hess Street South - An existing porch encroaching onto the road allowance of Hess Street South by a mximum of 0.7 m (2.37 ft) for an approximated distance of 5.3 m (17.5 ft.),

be approved during the pleasure of Council, provided:

- (a) That the owner enter into agreements satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action; interest, claims, demands, costs, damages, expenses and loss.
- (b) That an annual fee of \$10.00, for each encroachment, be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution, in addition to the \$25.00 annual fee to be charged the owners for encroachment insurance.

6. That Schedule 12 (One Way Streets) of By-law 66-100 To Regulate Traffic be further amended by adding thereto the following item, namely:

"George Easterly Hess Caroline".

7. That Schedule 24 (Parking Meter Locations) be amended by adding to Section 2 (Two Hour Limit) the following items, namely:

"Hess East Main to George
George North Hess to Caroline".

8. That Schedule 26 (No Parking Areas) be amended by deleting from Section A (No Parking Anytime) the following item, namely:

"George North Hess to Caroline".

9. That Schedule 26 (No Parking Areas) be amended by deleting from Section C (No Parking 7:00 A.M. - 6:00 P.M.) the following item, namely:

"George South Caroline to Hess".

10. That Schedule 29 (No Stopping Areas) be amended by adding to Section A (No Stopping Anytime) the following items, namely:

"Osborne West Melvin to 126 feet north
George South Hess to Caroline
George North Hess to 56 feet east
George North 94 feet west of Caroline
to 58 feet westerly"

11. That Schedule 29 (No Stopping Areas) be amended by deleting from Section B (No Stopping 7:00 A.M. - 9:00 A.M.) the following item, namely:

"Hess East Main to King".

and adding thereto:

"Hess West Main to King".

12. That Schedule 29 (No Stopping Areas) be amended by deleting from Section C (No Stopping 4:00 P.M. - 6:00 P.M.) the following item, namely:

"Hess

East

Main to George".

13. That City Council approve the report of the Hamilton-Wentworth Regional Police Department and that a School Traffic Officer not be assigned to the intersection of Nash Road and Kentley Drive.

14. That City Council approve the report of the Hamilton-Wentworth Regional Police Department and that a School Traffic Officer not be assigned to the intersection of Brucedale Avenue and East 13th Street.

15. That a new By-law be enacted under the appropriate authority of the Municipal Act for a Revised Fee Schedule for Overhanging Signs and that the City Solicitor be directed to prepare said By-law.

Note: This By-law was originally intended to amend By-law No. 9329, however, the Legal Department has advised that the By-law may be enacted as a separate By-law thereby making it more manageable with respect to implementation and enforcement.

Section 9 of the 50th Report of the Legislation, Fire and Licence Committee adopted by City Council on September 13, 1977, specified a fee schedule which is out of date. The new By-law specifies a fee schedule in keeping with inflation and administrative costs.

16. That leave be granted to introduce the following bills:

Bill No. E26 - By-law to close and retain a portion of Confederation Drive from Centennial Parkway to Q.E.W. Service Road

Bill No. E27 - By-law to close and retain a portion of highway adjacent to Centennial Parkway, east side, north of Confederation Drive

Bill No. E28 - By-law to close and retain a portion of Van Wagner's Beach Road, Centennial Parkway to Lake Avenue

Bill No. E29 - By-law to close and retain a portion of the road allowance between lots 26 & 27, Broken Front Concession, Saltfleet, north and south of Van Wagner's Beach Road

Bill No. E30 - By-law to amend Parking on Private and Municipal Property By-law No. 75-155 respecting Motor Vehicle Owner's Responsibility.

Bill No. E31 - By-law to amend Hamilton Civic Airport By-law No. 77-181 respecting Motor Vehicle Owner's Responsibility.

- Bill No. E32 - By-law to amend Fire Routes By-law No. 75-168
respecting Motor Vehicle Owner's Responsibility.
- Bill No. E33 - By-law to amend Traffic By-law No. 66-100 respecting
Motor Vehicle Owner's Responsibility.
- Bill No. E34 - By-law to amend Streets By-law No. 9329 respecting
Vehicle Approach Ramps and Boulevard Parking for
Single-and Two Family Dwellings.
- Bill No. E35 - By-law to amend By-law No. 66-100 To Regulate Traffic.
- Bill No. E36 - By-law to amend By-law No. 66-100 To Regulate Traffic.

Respectfully Submitted,

Alderman F. A. Lombardo, Chairman

R.C. Prowse, Secretary
April 6, 1981

URB/MUN

2nd FL

MEETING OF CITY COUNCIL

April 28, 1981

A G E N D A

- A Legislation Committee
- B Parks and Recreation Committee
- C Planning and Development Committee
- D Transport and Environment Committee
- E Finance Committee

REPORT OF THE LEGISLATION COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council.

The Legislation Committee presents its NINTH Report and respectfully recommends:

GRANTS AND CIVIC HOSPITALITY

1. That a grant in the amount of \$700.00 be made to the Ontario 5 Pin Bowlers' Association to assist in defraying expenses in connection with a Reception as part of their National 5 Pin Bowling Championships to be held in the City of Hamilton from May 26 - 30, 1981. Estimated attendance, 700 persons.
2. That a grant in the amount of \$300.00 be made to the Ontario Federation of Symphony Orchestra to assist in defraying expenses in connection with a luncheon as part of their Annual Conference to be held in the City of Hamilton on May 22, 1981. Estimated attendance, 175 delegates.

CIVIC AWARDS

3. That civic awards be made to the following:
 - a) Members of the Roller World Roller Skating Club who brought honours to the City of Hamilton in 1980 by winning Provincial and National Championships.

RESOLUTIONS

4. That the following resolution not be endorsed.

- a) City of North York

"Whereas a flourishing university contributes to its parent city not only many tangible assets in the form of local educational access (full time and part time), staff employment, income disposal, procurement expenditure and secondary employment, but also the intangible benefits of cultural enrichment and civic prestige... York University, urges the Committee known as the "Committee to Review The Objectives And Funding of Ontario Universities' to address itself not to the contraction and erosion of Ontario's universities but to the provision of funding adequate for their continuing vitality, development and renewal".

and that the Minister of Education be so advised: and,

that all other university cities in Ontario be urged to take similar action in the hope that a unified approach may have the desired impact against university cutbacks."

/2...

CITY HALL FACILITIES

5. That permission be granted to the Delta Secondary School Concert Band to perform a noon-hour concert in front of City Hall during Education Week (May 4 - 8, 1981).
6. That permission be granted to the U.J.A. Walk-A-Thon to use the City Hall forecourt on Sunday, May 3, 1981 as a check point. This permission to include use of the washrooms, drinking fountains, one table and six chairs from 1:00 - 3:00 p.m.

OTHER

7. That the City of Hamilton participate in the 1981 Inner City Youth Program at the MacNab Street YWCA by financing the cost of swimming estimated at \$.50 per child per day with approximately 20 - 22 children participating each day, and that the Finance Committee be requested to recommend the method of financing.

Note: For the information of the members of City Council, this program cost the City of Hamilton approximately \$500.00 in 1980 and results in the children not swimming in the City Hall fountains as they did prior to the City's involvement in this program.

8. That one meeting of City Council be held during the months of June, July and August and that these meetings be held respectively on June 30, July 28 and August 25, 1981.
9. That the tax adjustments as set out in Schedules A, B and C be approved.
10. That leave be granted to introduce the following bill.

Bill A-11 - By-law to confirm proceedings of The Council of The Corporation of the City of Hamilton.

Respectfully submitted,

Alderman J. MacDonald, Chairman

S.G. Hollowell, Secretary
April 23, 1981
SGH/sma

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its TENTH Report for 1981 and respectfully recommends:

1. That the application by Cathedral Girls' High School to hold a Flea Market in Gore Park on Saturday, May 9th, 1981 between the hours of 8:30 a.m. and 5:30 p.m., be approved, pending approval of the Hamilton-Wentworth Regional Police, and subject to the terms and conditions stipulated by the Director of Recreation.
2. That the proposal from Tad Kondo, Hamilton, Ontario, to pay the City the sum of \$100.00 for the Roller Skating Rental Concession at the Mountain Arena, be approved.
3. That St. Anthony of Padua Church be granted the use of Ivor Wynne Stadium, on Saturday, June 14th, 1981, for the purpose of conducting their Annual Feast Celebrations, subject to the following terms and conditions:
 - (a) Schedule "B" of the Operational Regulations for the Use of Ivor Wynne Stadium be applicable.
 - (b) The necessary licence for holding a Fireworks Display be obtained.
 - (c) Adequate measures, satisfactory to the Director of Recreation, be taken to cover the west end-zone of the stadium with tarping, at the applicant's expense, to protect the field from damage due to the Firework Display.
 - (d) The extra cost of cleanup, attributed to the Fireworks Display will be borne by the applicant.
4. That the Irish Canadian Club of Hamilton be granted the use of Ivor Wynne Stadium on Saturday, July 4th, 1981, for the purpose of conducting their Annual Feis, in accordance with the terms and conditions applicable in Schedule "B" of the Operational Regulations for the Use of Ivor Wynne Stadium.
5. That the action of the Director of Purchases in issuing the following purchase order be approved:

MILLGROVE WAREHOUSING, Millgrove, Ontario

60 cases of Dacthol 75W - crabgrass killing \$12,540.00

Note: Lowest of four verbal quotations.

6. That Alderman Wm. M. McCulloch be authorized to attend the 31st Annual Conference of Military Historians, to be held May 7th to 10th, 1981 in Savannah, Georgia.

April 16th, 1981

7. For the information of the members of City Council, Mr. Colin Millar resigned as a member of the Special Events Committee.

The committee wishes to advise that Mr. James McDowell has been appointed to serve the unexpired term of Mr. Millar.

8. That Alderman K. M. Edge, Chairman and Alderman J. A. Bethune, Vice-Chairman, or their nominees, be authorized to attend the 1981 Canadian Parks and Recreation Association Annual Conference being held August 9th to 13th, 1981, in Calgary, Alberta.

9. Permission to issue the following purchase order:

JOHN CONNOR NURSERIES, Waterdown, Ontario

2,080 various types trees for a total of \$39,100.00

Note: Lowest of eight tenders received.

10. In adopting section 6 of the Fifth Report of the Parks and Recreation Committee, City Council at its meeting February 24th, 1981 approved the application of Shintani Karate Federation to hold a karate tournament in Ivor Wynne Stadium, on July 18th, 1981.

The Shintani Karate Federation has its offices in Japan and no headquarters in North America. This organization is establishing offices in North America, in the name of "Senkio Limited" and will be making all direct contractual arrangements with the City of Hamilton, in connection with the above-mentioned tournament.

The committee, therefore, recommends that section 6 of the Fifth Report of the Parks and Recreation Committee adopted by City Council at its meeting February 24th, 1981, be amended by substituting the name "Senkio Limited" for "Shintani Karate Federation".

11. That Nielsen-Ferns International be granted permission to use Whitehern and the surrounding grounds for the purpose of filming sequels of the film "The Wars", subject to the following terms and conditions:

(a) That an agreement satisfactory to the City Solicitor and the Managing Director, Hamilton Historical Board, be entered into between the Corporation of the City of Hamilton and Nielsen-Ferns International.

(b) That Nielsen-Ferns International pay to the Corporation of the City of Hamilton the sum of \$1,000.00 per day, plus expenses, for the use of Whitehern for this purpose.

Note: For the information of the members of City Council, it is expected that approximately eight days will be required for this filming.

12. Approval of the sale of lots 120, 121, 122 and 127 to 133 respectively, Almas Gardens, Phase 1, Plan M-221, to Frank Husack Limited carrying

April 16th, 1981

(12. cont'd)

on business under the name Sunshine Homes and DiCenzo Construction Limited, for the amount of \$155,440.00.

Note: These lots were acquired by the City in March 1977 as payment of the required 5% land dedication. These lands are not required by the City for parks or recreational purposes and the developer is now in a position to repurchase these lots.

13. That the Trade/Arena Subcommittee be authorized to visit and inspect various facilities of comparable size to those presently under review for the City of Hamilton. A listing of the facilities proposed to be visited will be submitted to City Council for its consideration.

Respectfully submitted,

ALDERMAN K. M. EDGE, CHAIRMAN
PARKS AND RECREATION COMMITTEE

J. J. Schatz, Secretary
April 16th, 1981

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its THIRTEENTH Report and respectfully recommends:-

1. That approval be given to Zoning Application 81-13, Stanlow Holdings Limited, owner, for a change in zoning and a modification to zoning regulations of land located in the area north of the proposed Mountain Freeway and east of Upper Paradise Road as shown on the plan marked as APPENDIX "A" attached, on the following basis:
 - i) that Blocks "A" and "B" on Registered Plan M-286 be rezoned from "RT-10" (Townhouse) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District,
 - ii) that the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District regulations applicable to lots 1 to 38 inclusive and Blocks, A, B, C, D, E, F, G, H, I, J, K and L Registered Plan M-286, be modified so as to permit the following variances and restrictions:
 - a) that notwithstanding Section 10(3)(ii) of By-law 6593, no side yard shall be required along one side of each lot, except that a minimum side yard of 1.2 metres (3.94') shall be provided and maintained along a flankage side abutting a street and along any side of a lot abutting any other residential district;
 - b) that notwithstanding Section 10(4)(i) of By-law 6593, a lot for a single family dwelling shall have a minimum width 9.0 metres (29.53') and a minimum lot area of 278 square metres (2,992.46 sq.ft.);
 - c) that notwithstanding Section 10(1)(iii) of By-law 6593, development of townhouses shall not be a permitted use;
 - d) that where a side yard is less than 1.2 m (3.94') a maintenance easement on the abutting property may be required as determined by the Building Commissioner prior to the issuance of a building permit.
 - iii) that the amending By-law be added to Section 19(b) of the Zoning By-law as Schedule S-748, and that the subject land of Zoning District Map W-27B be notated S-748.
 - iv) that the City Solicitor be directed to prepare a By-law to amend

Zoning By-law 6593 and Zoning District Map W-27B and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.

- v) that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE

The purpose of the by-law is to change the zoning of a portion of the holding from "RT-10" (Townhouse) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, and further, to amend the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District provisions applicable to the existing site to permit "zero lot line" single family detached dwellings on lots having a minimum lot frontage of 9.0 metres (29.93'), a minimum lot area of 278 square metres (2,992.46 sq.ft.), and no side yard on one side only.

This by-law applies to vacant lands located in the area north of the proposed Mountain Freeway and east of Upper Paradise Road.

2. That Item 4 of the 10th Report of The Planning and Development Committee adopted by City Council on March 4, 1981 be amended as follows:

That approval be given to Zoning Application 80-71, Gary and Shirley Latta, owners, for an amendment to the zoning regulations applicable to property at 55 Sherman Avenue South, as shown on the plan marked APPENDIX "B" attached, on the following basis:

- i) that part of the subject land designated as Blocks 1 be rezoned from "C" (Urban Protected Residential - Single Family Dwellings, etc.) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District; and
- ii) that the "D" District provisions as contained in Section 10 of By-law No.6593 applicable to the lands described as Blocks 1 and 2 be modified as follows:
 - a) that a 1.2 m (3.94') to 2.0 m (6.56') high closed fence be required along the easterly and northerly property lines, and that a 1.5 m (5') planting strip be required adjacent to the easterly property line;
 - b) that notwithstanding the provisions of clause (v) of subsection (1) of Section 10, an ordinary lodging house licensed as such, for the accommodation of not more than 20 lodgers shall be permitted;
 - c) that notwithstanding the provisions of clause (iib) of Subsection 1 of Section 9 of By-law 6593 as amended by By-law 81-27 a residential care facility for the accommodation of 20 residents shall be permitted;
 - d) that the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-741 and that the subject land

on Zoning District Map E-33 be notated as S-741;

- e) that the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map E-33 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk;
- f) that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE

The by-law will provide as follows:

- 1) a change in zoning from "C" (Urban Protected Residential - Single Family Dwellings, etc.) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District of property at 55 Sherman Avenue South (Block 1);
- 2) a modification to the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to establish appropriate landscaping and fencing along the easterly and northerly property limits, and to permit a licensed lodging house or a residential care facility to have a maximum of 20 lodgers.
3. That approval be given to Zoning Application 80-02, Mr. A. Giannattasio, Ms. Diamante, Mr. Dalla Pasqua, owners, to establish a change in zoning and modification to the zoning regulations with respect to the property located at the south-east corner of Upper Sherman Avenue and Limeridge Road East, as shown on the plan attached marked as APPENDIX "C", on the following basis:
 - i) that the subject lands be rezoned from "AA" (Agricultural) District to "DE-2" (Multiple Dwellings, etc.) District;
 - ii) that the "DE-2" District provisions as contained in Section 10B of By-law No.6593 applicable to the subject lands, be modified to the extent only of the following special requirements:
 - (a) the density of townhouse development shall not exceed 26 dwelling units;
 - (b) the density of apartment development shall not exceed 54 units;
 - iii) that the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-749, and that the subject land on Zoning District Map 38B be notated S-749;
 - iv) that the City Solicitor be directed to prepare a by-law to amend Zoning By-law No.6593 and Zoning District Map 38B and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk;
 - v) that the proposed change in zoning is in conformity with the

Official Plan for the Hamilton Planning Area.

That as a condition of approval of Zoning Application 80-02, the following shall be required:

- (a) that the applicant acquire from the City a 4' wide strip of land along the east side of the site and pay for the new road and municipal services as assessed for that section of the road abutting the east side of the subject development;
- (b) that land for a 10' widening of Limeridge Road East and a 40' daylight corner lot be dedicated to the City; and
- (c) that an easement be conveyed to the Region for future berm purposes measuring 50' from the northerly limit of the proposed East-West Free-way right-of-way.

EXPLANATORY NOTE

The by-law provides that land having an area of 67,000 square feet located at the south east corner of Upper Sherman Avenue and Limeridge Road East, as shown on Zoning District Map E-38B, be rezoned from "AA" (Agricultural) District to "DE-2" (Multiple Dwellings) District. The by-law further provides for a limited density of development, not exceeding 26 townhouse units or 54 apartment units.

- 4. That approval be given to Zoning Application 80-88, Tyka Investments Limited, prospective owner, to establish a change in zoning and modifications to the zoning regulations with respect to property at #1132 Upper Wellington Street, as shown on the attached plan marked as APPENDIX "D" on the following basis:
 - i) that the subject land be rezoned from "C" (Urban Protected Residential - Single Family Dwellings, etc.) District, to "RT-10" (Townhouse) District;
 - ii) that the "RT-10" District provisions as contained in Section 10D of By-law No.6593 applicable to the townhouse development on the subject lands, be modified to the extent only of the following special requirement:
 - (a) the density of development shall not exceed 13 dwelling units;
 - iii) that the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-749, and that the subject land on Zoning District Map E-9A be notated S-749;
 - iv) that the City Solicitor be directed to prepare a by-law to amend Zoning By-law No.6593 and Zoning District Map E9A and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk; and
 - v) that the proposed change in zoning is in conformance with the Official Plan for the Hamilton Planning Area.

That as a condition of approval of Zoning Application 80-88, a road widening across the frontage of the property in question to establish a right-of-way of 50' from the original centre line of Upper Wellington Street be dedicated to the Region.

EXPLANATORY NOTE

The by-law will provide for a change in zoning from "C" (Urban Protected Residential - Single Family Dwellings, etc.) District to "RT-10" (Townhouse) district. The purpose of the change is to permit the construction of a 13-unit townhouse development on the lands the location of which is shown on Zoning District Map E9A.

5. That approval be given to Official Plan Amendment No.360 to establish a change in land use designation from "Residential" to "Commercial" of land in the area north of Rymal Road East, east of Upper Sherman Avenue, and that the City Solicitor be directed to prepare a by-law to adopt this Official Plan Amendment for submission to the Ministry of Housing.
6. That approval be given to Zoning Application 80-72, Marsenga Holdings Limited, owner, to establish a change in zoning from "AA" (Agricultural) District and "C" (Urban Protected Residential - Single Family Dwellings, etc.) District to "G-1" (Designed Shopping Centre) District, to permit a neighbourhood shopping centre on lands located at 675 and 695 Rymal Road East, as shown on the attached plan marked as APPENDIX "E" on the following basis:
 - i) that the subject lands be rezoned from "AA" (Agricultural) District and "C" (Urban Protected Residential - Single Family Dwellings etc.) District to "G-1" (Designed Shopping Centre) District
 - ii) that the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map E-38E and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk;
 - iii) that as a condition of rezoning of the lands the applicant deed to the City the necessary road allowance along the northerly boundary of the site in accordance with the approved neighbourhood plan and that the required road widenings across the flankage of the property in question be dedicated to the Region.
 - v) that the Official Plan for the Hamilton Planning Area be amended accordingly.
 - vi) that the Eleanor Neighbourhood Plan be amended accordingly.

EXPLANATORY NOTE

The by-law provides for a change in zoning of lands located at 675 and 695 Rymal Road East, as shown on Zoning District Map E-38D, from "AA" (Agricultural) District and "C" (Urban Protected Residential) District to "G-1" (Designed Shopping Centre) District.

The purpose of the change in zoning is to permit the construction of a shopping

centre on the lands having an area of approximately 1.71 hectares (4.22 acres)

7. That the request for an amendment to By-law 80-30 respecting a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings etc.) District to "G-3" (Public Parking Lots) District of lands located on the north side of Jackson Street, west of Paulette Street, to permit additional off-street parking for a restaurant use located at No.405 Main Street West, be refused in order to preserve the residential character of the neighbourhood and that the City Solicitor be directed to inform the Ontario Municipal Board of the Committee's decision.
8. That approval be given to the Homeside Neighbourhood Plan attached as APPENDIX "F" to establish policies to guide future land use comprising 121.4 hectares (300 acres) of land in the area bounded generally by Kenilworth Avenue North, C.N.R. Tracks, Strathearn Avenue and Main Street East.

Policies

The Homeside Neighbourhood Plan has been prepared:

- i) To identify and consolidate those areas within the neighbourhood which should be preserved in their present uses and to establish appropriate changes in the Official Plan and Zoning By-law.
- ii) To identify those areas where redevelopment is considered desirable and to establish appropriate changes in the Official Plan and Zoning By-law.
- iii) To provide for new park areas as indicated on the Plan to be established in the future,

History

In the evolvement of this plan, a Citizens' Committee was formed to review and recommend future plans for the area in conjunction with Staff from the Planning Department.

The Plan was presented at two public meetings held June 26, 1980 and September 18, 1980 in the neighbourhood.

All property owners and residents in the area were notified by mail and/or press notice.

Note: It is not the intention that the Neighbourhood Plan be entirely rigid and necessary changes will be effected when detailed studies indicate the need for such change.

9. That approval be given to Official Plan amendment No.359 - Zoning Application 80-56, Sackville Hill Builders Supplies Ltd., owner, to establish a change in land use designation from "Residential" to "Commercial" of property located at #1774 to #1780 King Street East, extending through to Lawrence Road, and that the City Solicitor be directed to prepare a by-law to adopt this Official Plan Amendment for submission to the Ministry of Housing.

10. That the City of Hamilton approve a By-law to remove part-lot control for lots 1-160 inclusive on Plan M-284, Mohawk Gardens Phase 2.

That application be made to the Region to exempt Lots 1-160 on Plan 284, Mohawk Gardens Phase 2.

11. Approval of the sale of Lots 29 and 30, Hamilton Mountain Industrial Park No.1 to Domglas Inc. or its assignee, in the amount of \$146,856.00 - cash deposit of \$14,685 - balance of purchase price on closing of sale which shall be on or before May 1, 1981.

The purchaser agrees that the transfer to him which he shall execute shall be subject to and include the following restrictions, covenants and agreements:

"In consideration for the transfer of the hereinbefore described land to the transferee, in addition to payment of the sale price to the transferor, the transferee covenants and agrees to and with the transferor:

- 1) That the transferee shall commence construction of a building, having a minimum building area of 40,000 square feet upon the hereinbefore described land by not later than December 1st, 1981. Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.
- 2) That the transferee shall complete construction of the said building by not later than December 1st, 1982. The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.
- 3) That no transfer of the hereinbefore described land shall be made by the transferee until The Corporation of the City of Hamilton confirms that covenants 1 and 2 have been complied with.
- 4) In the event that the transferee does not comply with covenants 1 and 2 or either of them by the date set out therein, the transferee covenants and agrees that the transferee shall sell the land to the transferor, free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the transferor, for the sale price herein, (without any interest) - less (a) the deposit; (b) the commission paid (if any) by the transferor to a real estate agent; (c) arrears of realty taxes (including the local improvement charges) penalty and interest owing on them - and further, without increase or compensation for costs of any improvement charges) penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said land.
- 5) The said transferor as registered owner and the said transferee hereby apply to request and authorize The Land Registrar to have Notice of the covenants set out above entered on the register of the land being transferred herein to the said transferee."

The purchaser hereby also covenants and agrees to and with the City, its successors and assigns each of the matters set out in the paragraphs 1), 2), 3), 4) and 5) above and the purchaser agrees that this covenant of those matters in this paragraph of this offer shall not merge upon the closing of the sale of this land but shall continue in full force and effect to benefit the City, its successors and assigns.

12. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:-

129 Pottruff Road South	315 Main Street East
493 Rymal Road East	317 Main Street East
9 Margaret Street	88 Wellington Street North
650 Gray's Road	90 Wellington Street North
63 Beach Boulevard	94 Wellington Street North
65 Beach Boulevard	96 Wellington Street North
9 Kenilworth Avenue North	246 Wilson Street
64 Hillcrest Avenue	635 Limeridge Road East
313 Main Street East	21 Cope Street

13. That the City Solicitor be authorized and directed to seek a restraining order under Section 469(a) of the Municipal Act in continuing enforcement procedures of Zoning By-law 6593 with respect to No.1232 Cannon Street East
14. That the City Solicitor be authorized and directed to prepare a by-law to amend By-law 74-74 to clarify the definition of "solid fences".
15. That the City Solicitor be authorized and directed to prepare a by-law for the demolition of buildings and the clearing of lands at 329, 331 and 333 Catharine Street North, in accordance with Subsection 21 of Section 36 of the Planning Act.
16. Approval of the list of applicants submitted herewith and authorization for the Department of Community Development to process grants and/or loans in an amount not to exceed \$7,500.00 with the actual amount of grant or loan to be determined by inspection of the property under the Property Standards By-law 74-74 and pursuant to the Housing Development Act regulation 688/74.

That the officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme:-

- | | |
|--|--|
| 1. J. Walsh
50 East 12th Street | 9. R. Halford
74 East 35th Street |
| 2. A. Williams
41 Kenilworth Avenue South | 10. L. Cherns
30 Kenmore Road |
| 3. L. Geoghegan
686 Tate Avenue | 11. R. Greenland
47 Mayflower Avenue |
| 4. D. Pendzay
66 Cloverdale Avenue | 12. J. McGowan
105 Dunkirk Drive |
| 5. M. Bell
223 MacNab Street | 13. F. Randall
125 Gary Avenue |
| 6. J. Gordon
113 Pearl Street North | 14. O. Churchill
398 Mohawk Road West |
| 7. A. Milligan
111 Toby Crescent | 15. A. Padgett
14 Alice Street |
| 8. A. Catalano
75 Murray Street East | 16. C. Makins
289 East 24th Street |
| 17. O. Gruhl
33 Sterling Street | |

17. Approval of the list of applicants submitted herewith and authorization for the Department of Community Development to process grants and/or loans in an amount not to exceed \$7,500.00 with the actual amount of grant or loan to be determined by inspection of the property under the Property Standards By-law 74-74 and pursuant to By-law 78-113.

That the officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Hamilton Rehabilitation Programme:

- | | | |
|--|------------------------------------|---------------------------------|
| 1. W. Sweeting
15 Burlington St. E. | 2. R. Schofield
148 Auburn Ave. | 3. W. Mills
69 Broadway Ave. |
|--|------------------------------------|---------------------------------|

18. That leave be granted to introduce the following Bills:-

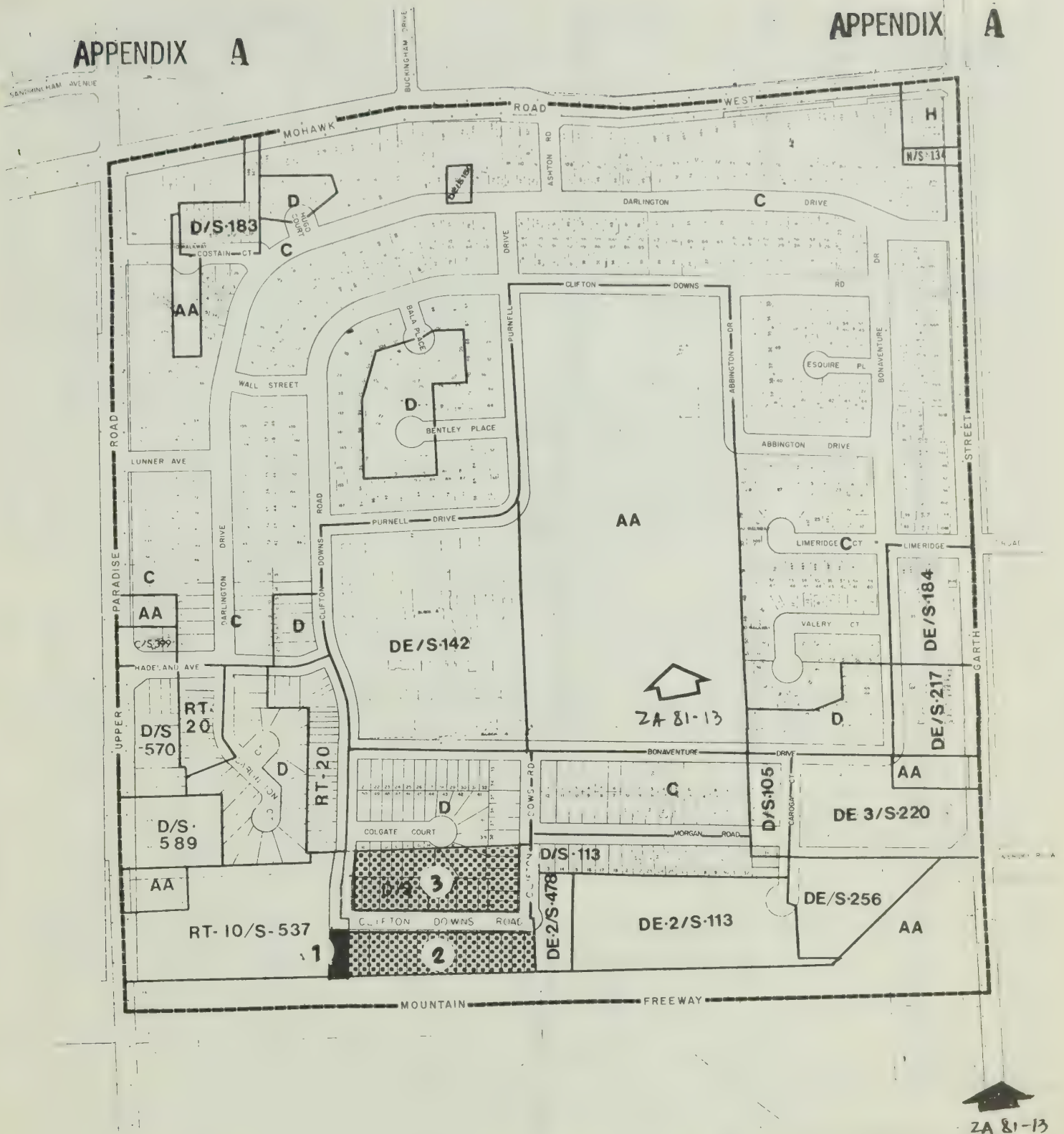
- (a) Bill C-1 - By-law to amend Zoning By-law No.6593 respecting land located south of Hadeland Avenue and east of Upper Paradise Road
- (b) Bill C-2 - By-law to amend Zoning By-law No.6593 respecting lands located in the area east of Upper Paradise Road and north of the proposed Mountain Freeway
- (c) Bill C-3 - By-law to change the name of Ranwood Drive to Ravenbury Drive

- (d) Bill C-4 -By-law to amend Zoning By-law No.6593 respecting land located at the south-east corner of Upper Sherman Avenue and Limeridge Road East.

Respectfully submitted

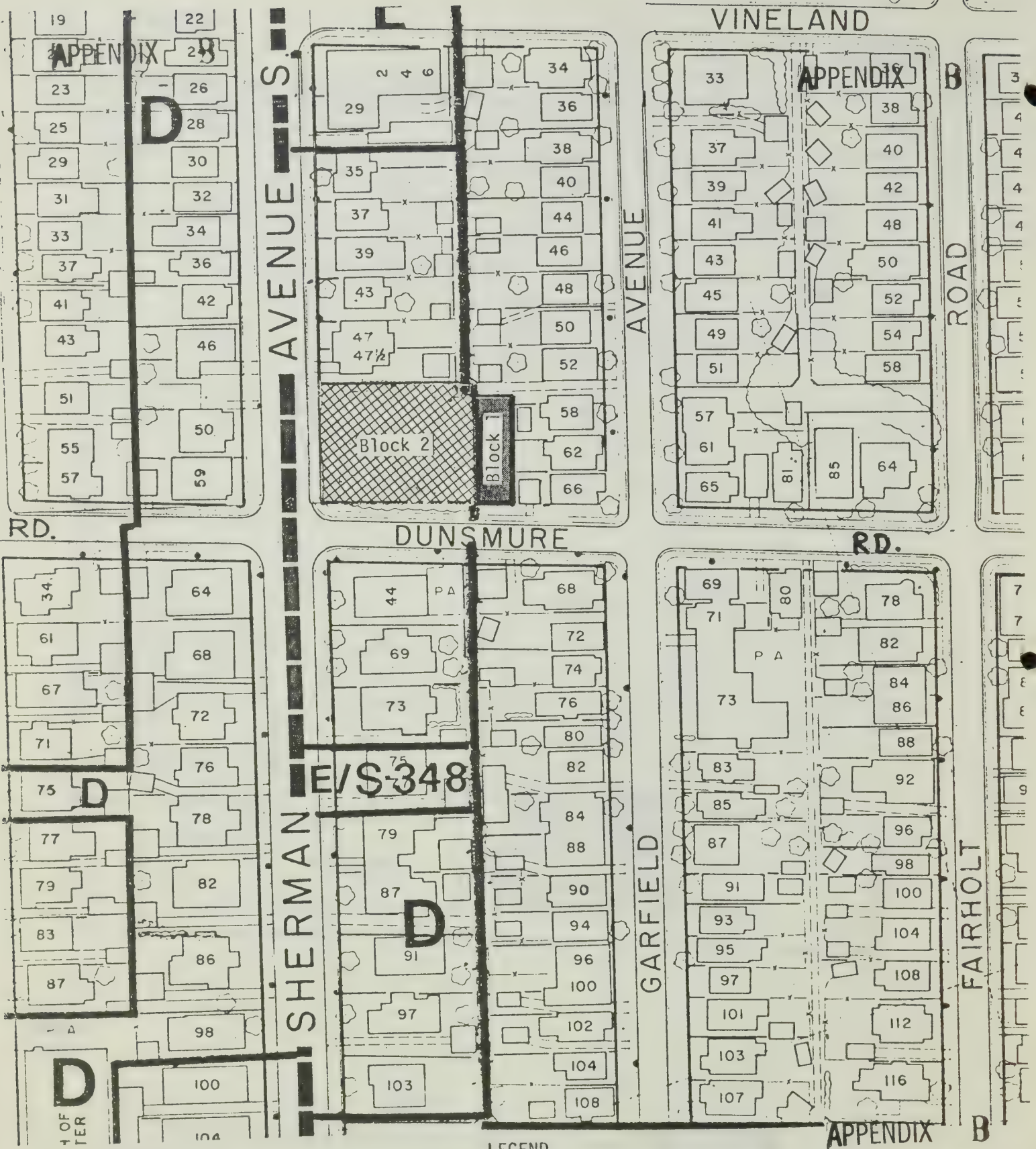
Alderman W. M. McCulloch, Chairman
Planning and Development Committee

JDT:bg
April 23, 1981

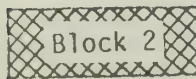
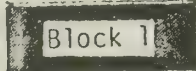


LEGEND

- Block 1 Change in zoning from "RT-10" to "D"-Modified.
- Blocks 2 & 3 Change in zoning "D" to "D" - Modified.

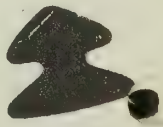


Lands for which the following changes are proposed:



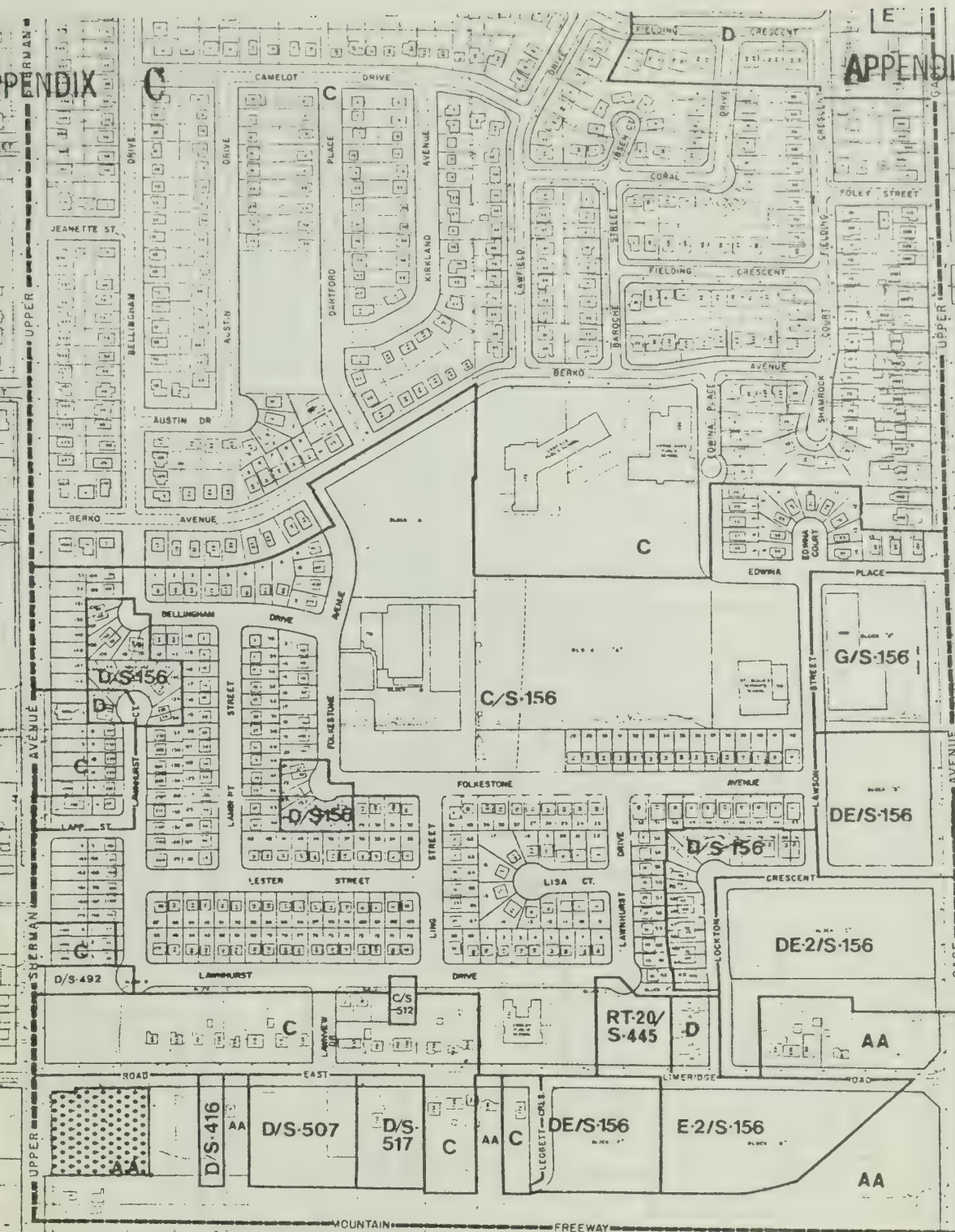
Change in zoning from "C" to "D" to permit parking for the adjoining lodging house.

Site of existing lodging house to allow proposed increase from 12 to 20 lodgers. C-12



APPENDIX C

APPENDIX C



2A 80-02

APPENDIX C

APPENDIX C

LEGEND



Change in zoning from "AA" (Agricultural) District to "DE-2" (Multiple Dwellings) District.

D

APPENDIX D

APPENDIX D

AA

SHERMAN AVE
UPPER

BRENDA

ELEANOR AVENUE

RAEBURN RD

ALMA AVE

RYMAL

ROAD EAST

AA

AA

APPENDIX D

APPENDIX D

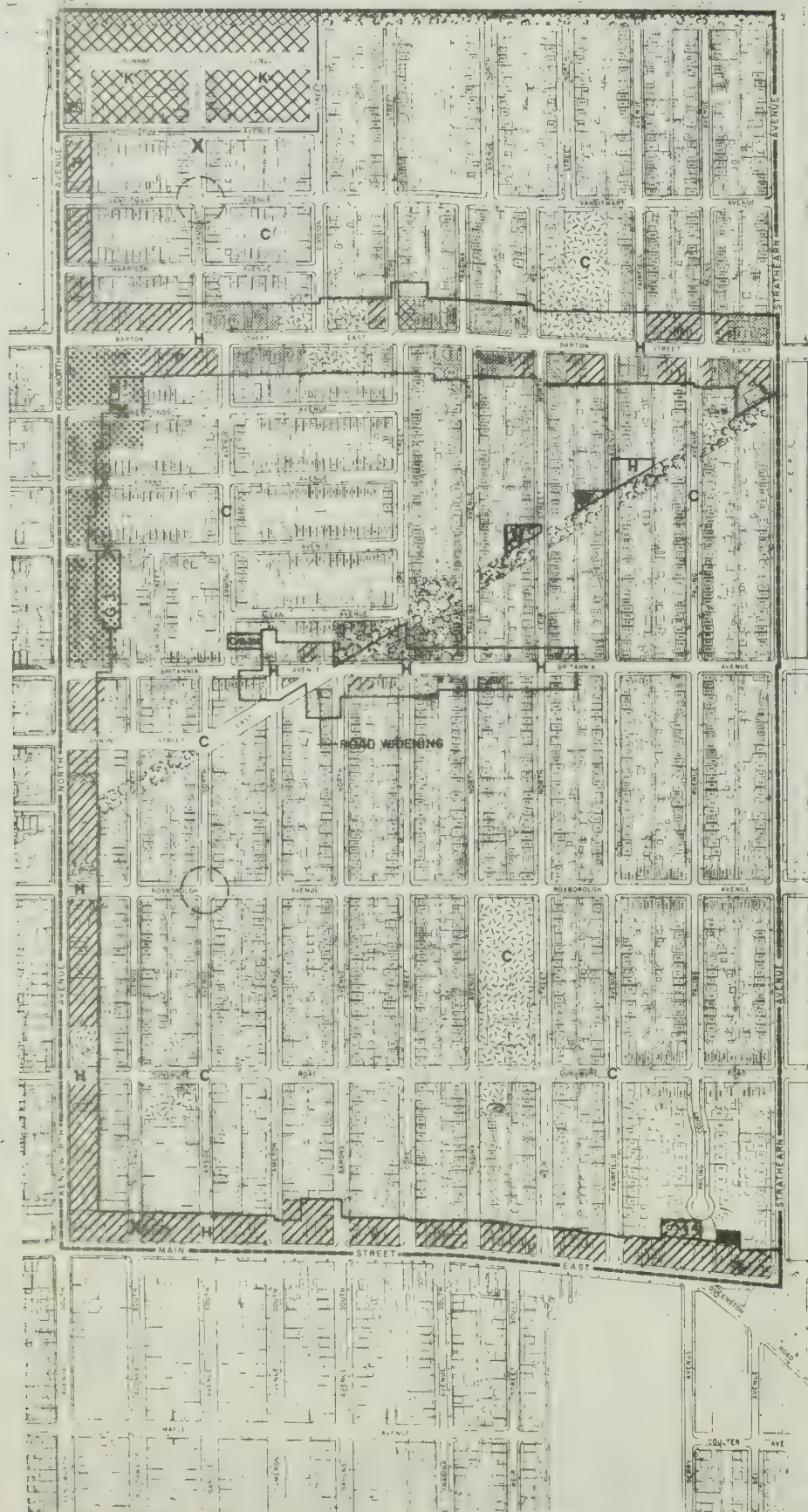
LEGEND



Lands for which a change in zoning from "AA" (Agricultural) District and "C" (Urban Protected Residential, etc.) District to "G-1" (Designed Shopping Centre) District is proposed.



D



EXISTING POPULATION (1970)	7996
(1971)	7994
(1972)	7799
(1973)	7662
(1974)	7539
(1975)	7412
(1976)	7310
(1977)	7174
(1978)	6976

- NOTES
- 1) THIS A GUIDE PLAN ONLY AND IS SUBJECT TO CHANGE. FOR DETAILS CONTACT THE LOCAL PLANNING DIVISION OF THE REGIONAL MUNICIPALITY OF HAMILTON WESTWORTH.
 - 2) REFER TO WRITTEN POLICIES FOR FURTHER EXPLANATION.
 - 3) X ROAD CLOSURE (UNDER STUDY)
 - 4) PARCEL/TOT-LOT (GENERAL LOCATION ONLY)

LAND USE

RESIDENTIAL

- single & double
- attached housing
- low density apts.
- medium density apts.
- high density apts.
- commercial & apts.

- COMMERCIAL
- INDUSTRIAL (LIGHT)
- CIVIC & INSTITUTIONAL
- PARK & RECREATIONAL
- BERM
- UTILITIES

- Neighbourhood Boundary
- Zoning Boundary

Planning Bd. Approvals Council
Revisions

MARCH 1980
APRIL 1980

CITY OF HAMILTON
PLANNING DEPARTMENT

HOMESIDE
PROPOSED PLAN



REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its NINTH Report for 1981 and respectfully recommends:

1. Whereas City Council approved of the reconstruction and the widening of the following streets:

- (a) Caroline Street - Main Street to Market Street
- (b) Locke Street - King Street to York Boulevard
- (c) Miles Court - South Street to south-end
- (d) North Oval (east leg) - King Street to Paisley Avenue
- (e) Prospect Street - King Street to Main Street
- (f) Rosedale Avenue - King Street to approximately 80 m southerly.

And whereas the time limit within which objections may be made to these widenings as prescribed pursuant to Section 446 of the Municipal Act expired on April 22, 1981; and whereas representations were made objecting to the widenings on North Oval, Miles Court and Locke Street; and whereas the Transport and Environment Committee considered these objections, it is therefore recommended:

- (i) that Miles Court from South Street to the south-end and North Oval (east leg) King Street to Paisley Avenue not be widened.
- (ii) that Locke Street, Caroline Street, Prospect Street and Rosedale Avenue be widened as shown on the Department of Engineering plans and that leave be granted to introduce the following bills:

Bill No. D57 - By-law to reconstruct and set aside a portion of Rosedale Avenue from King Street to approximately 80 m southerly by widening the pavement.

Bill No. D58 - By-law to reconstruct and set aside a portion of Prospect Street from King Street to Main Street by widening the pavement.

Bill No. D59 - By-law to reconstruct and set aside a portion of
Caroline Street from Main Street to Market Street
by widening the pavement.

Bill No. D60 - By-law to reconstruct and set aside a portion of
Locke Street from King Street to York Boulevard.

Respectfully Submitted,

Alderman F. A. Lombardo, Chairman

R. C. Prowse, Secretary

April 23, 1981

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:-

The Finance Committee presents its ELEVENTH Report and respectfully recommends:-

1. Approval of the awarding of the following contracts:-

(1) OTIS ELEVATOR COMPANY, LIMITED, Hamilton

Necessary modifications to the City Hall elevators in accordance with the proposals #4957 and #4925 submitted by the company.....\$19,375.00

(2) CALDWELL INDUSTRIES LTD., Toronto

The supply and delivery of 2,470 pairs of trousers, 2,720 shirts, 940 overall jackets and 684 overall pants....\$62,102.04

Plus 7% Ontario Sales Tax.

Note: Lowest of 6 tenders submitted.

2. That the Director of Real Estate be authorized to grant extensions to closing dates up to a maximum of thirty (30) days on a one time basis only and to deny extensions to closing dates with respect to property being purchased and sold by the City. Such action to be reported to the appropriate Standing Committee at the first regular meeting of the Standing Committee following the granting of the extension. These extensions of closing dates of transactions would be granted only, when in the opinion of the Director of Real Estate, it is in the best interests of the City and would be subject to the priorities of all interested departments.
3. Approval of the sale of a parcel of land located adjacent to 58 Churchill Avenue shown as Part 1 on Plan 62R-5428 and measuring 5.8 feet by 99.16 feet to James and Mavis Shimmin, the owners of the adjacent property at 58 Churchill Avenue, for the sum of \$250.00. Offer to be accepted on or before May 1, 1981. Cash deposit \$25.00. Balance on closing of sale which shall be on or before June 1, 1981.

4. Approval of a transfer of \$25,100.00 from the Contingency Account with \$16,100.00 to be credited to Account No. 0378-3532 to provide the necessary financing for Beach Strip Landscape Maintenance expenditures from February 1977 to December 1980 and for \$9,000.00 to be credited to Account No. 0332-0132 for an increase to the 1981 Estimates to finance Beach Strip Landscape Maintenance expenditures which are expected to increase by another twenty (20) properties in 1981.

5. Members of City Council are advised that the Board of Education has presented its levy requirement for 1981. The levy distribution between panels is:-

Elementary Panel	\$33,948,104
Secondary Panel	<u>31,801,995</u>
TOTAL	<u>\$65,750,099</u>

6. Approval of a policy whereby Council Member's meals will not be paid for by the City of Hamilton at Committee meetings.

7. That leave be granted to introduce the following bills:-

- (a) Bill E-37 - By-law to Fix the Rates of Taxation for Municipal Purposes for the year 1981.
- (b) Bill E-38 - By-law to Fix the Rates of Taxation for Regional Purposes for the year 1981.
- (c) Bill E-39 - By-law to Fix the Rates of Taxation for School purposes for the year 1981.
- (d) Bill E-40 - By-law to Fix the Total Rates of Taxation for Municipal, Regional and School Purposes for the year 1981.
- (e) Bill E-41 - By-law to Levy an Annual Tax on Telegraph and Telephone Companies doing Business in Ontario Respecting the Bell Canada Company of Canada and Canadian National Telecommunications and Canadian Pacific Telecommunications.

- (f) Bill E-42 - By-law to Amend By-law No. 78-277 Respecting Transfer of Unexpended Proceeds of Debenture issue sale from Eastlawn Field Houses and Rosedale Arena undertakings to New Fire Station at the North-East Corner of Barton Street and Wentworth Street.

RESPECTFULLY SUBMITTED,

ALDERMAN P. O. VALERIANO,
CHAIRMAN.

R. M. Collier, Secretary.
April 23, 1981.

MEETING OF CITY COUNCIL

May 12, 1981

A G E N D A

- A Finance Committee
- C Parks and Recreation Committee
- D Planning and Development Committee
- E Transport and Environment Committee
- F Personnel Committee
- J By-laws

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:-

The Finance Committee presents its TWELFTH Report and respectfully recommends:-

1. The Finance Committee advises of the receipt of the Financial Report of the Corporation of the City of Hamilton for the year 1980 as prepared by the City Treasury Department and approved by MacGillivray and Co., the City's appointed auditors. Copies of this Report have been forwarded to the Members of City Council and its adoption is recommended by the Finance Committee.
2. Approval of the awarding of the following contracts:-

(1) WELCH ALLYN INC., Skaneateles Falls, N.Y. 13153

16 Model 2276 Decoder Scanners with Plastic Light Pen.....	\$14,720.00
16 Cable Attachments.....	710.40
	<u>\$15,430.40</u>
Applicable Taxes and Duty Extra.....	U.S. FUNDS

Note: Only supplier.

(2) MAI CANADA LTD., 120 Amber St., Markham, Ontario.

Wordstream System rental charges and Maintenance for the months of January 1981 to December 1981.

Building Department.....	\$24,243.00
City Clerk's Department.....	9,539.04
	<u>\$33,782.04</u>

(3) THE VAN EDEN CO., Toronto, Ontario.

756 Duck Hydro Parkas at \$21.25 Each.....\$16,065.00

Ontario Sales Tax Extra 7%

Note: Lowest of 3 tenders.

(4) VALUE COMPUTING INC., 10 St. Mary St., Toronto, Ontario.

Perpetual License, one time charge, Computer Programs,
SMT-VSI, VM Subsystem, CICS Subsystem.....\$12,400.00

Maintenance & Enhancement, Computer Programs from
February 1, 1981 to January 31, 1982..... 1,500.00

\$13,900.00

(5) IBM CANADA LTD., Hamilton, Ontario.

Monthly availability charges for computer programs for
the months of April to December 1981 inclusive.....\$64,773.00

3. That the Director of Real Estate be authorized to grant extensions to closing dates up to a maximum period of thirty (30) days from the approved date of closing recited in an agreement and to deny extensions to closing dates with respect to property being purchased and disposed of by the City subject to the appropriate Standing Committee being advised at its next regular meeting of any extensions granted which are in excess of one (1) week. These extensions of closing dates of transactions are to be granted only, when in the opinion of the Director of Real Estate, it is in the best interest of the City and would be subject to the priorities of all other interested departments.
4. City Council, at its meeting held February 24, 1981, in adopting Section 5 of the Fifth Report of the Finance Committee, approved of the sum of \$1,000,000.00 being made available to the Hamilton Convention Centre as part of Project No. 34291-A in the 1981 - 1985 Capital Budget for the purchase of equipment. This was part of a Capital Budget appropriation of \$1,640,000.00. Approval is recommended of the request of the Hamilton Convention Centre that the remaining \$640,000.00 of Capital Project No. 34291-A be now made available for the purchase of equipment and financed from the 1981 Capital Levy in the amount of \$200,000.00 and from the 1982 Capital Levy in the amount of \$440,000.00.
5. Members of City Council are advised that at its meeting held January 8, 1980, in adopting Section 8 of the Second Report of the Board of Control, City Council approved of an expenditure of \$11,000.00 with the City of Hamilton renting the facilities at Hamilton Place for the sum of \$9,500.00 with the remaining \$1,500.00 to be allocated towards the expense of renting the facilities at the Hamilton Convention Centre. The MEI Convention, (Science Teachers of Ontario), are to reimburse the City of Hamilton for the sum of \$11,000.00 for the use of these facilities for their convention which is expected to be staged in Hamilton over a five (5) day period in 1982. The Board of Directors of the Hamilton Convention Centre advise that the rental charge for the facilities at the Hamilton Convention Centre is \$20,000.00 and has asked that the City of Hamilton make up the shortfall of \$18,500.00. It is recommended that the sum of \$18,500.00 form part of the municipal contribution requirement for the Hamilton Convention Centre in the 1982 Estimates of the City of Hamilton.

6. Approval of the recommendation of the Board of Directors of the Hamilton Convention Centre that a sum not exceeding \$165,000.00 be made available to the Hamilton Convention Centre for design fees and the redesign and construction of kitchen facilities.

It is recommended that this expenditure be provided from within the approved Ontario Municipal Board authorization of \$16,700,000.00 and that it be financed by the issuance of twenty year debentures.

It is further recommended that the City Solicitor and the Co-ordinator, Lloyd D. Jackson Square, be authorized and directed to take all measures which may be necessary for the recovery of the City's costs as necessitated by the redesign of the kitchen facilities.

7. That the City of Hamilton finance a Shuttle Bus service for a Political Leadership Convention to be held in January or February of 1982 at an estimated cost of \$5,000.00 and that this amount be provided for in the appropriate account in the 1982 Current Estimates of the City of Hamilton.

Note: Members of City Council are advised that a decision on whether this Shuttle Bus service would be provided by the City of Hamilton is required by May 13, 1981 and because the next meeting of the Legislation Committee, (which would normally deal with a request for assistance in staging a convention), will not be held until after May 13, 1981 this matter was dealt with by the Finance Committee at its meeting held May 7, 1981.

8. Approval of the recommendation of the City Treasurer that all employees receiving a pension as of January 1, 1979 will:-

- (a) Have their pension increased by 4%, or
- (b) Have their annual pension increased by \$1.00 per year of each accredited year of service times the number of years retired to January 1, 1979, or
- (c) By whichever is the greater of (2) or (3)
- (d) That in future all retired members of the HMRF Fund will be increased in accordance with any increases approved by the OMERS Board.
- (e) That if the cost exceeds the provision of \$152,000.00 as contained in the 1981 Estimates, the balance be financed from a transfer from the Contingency Account.

9. Members of City Council are advised that the City of Hamilton is entitled to seven (7) voting delegates at the Annual Conference of the Association of Municipalities of Ontario to be held at Toronto, Ontario, August 23rd to 26th, 1981. The Finance Committee recommends that Alderman P. O. Valeriano, Chairman of the Finance Committee, or his nominee, be authorized to attend and that any other Member of City Council wishing to attend, contact R. M. Collier, Secretary of the Finance Committee.

10. Members of City Council are reminded that at the City Council meeting held February 10, 1981, the Finance Committee advised that it was undertaking a review of all grants under the jurisdiction of the Finance Committee with the view to applying the "Sunset" rule to these grants. The Finance Committee has reviewed some of the grants under its jurisdiction and recommends that the application of the "Sunset" rule not be applied to the following organizations.

<u>NAME</u>	<u>AMOUNT OF 1981 GRANT</u>
Hamilton East Kiwanis Boys and Girls Club	\$49,840.00
Hamilton Civic Employees Fastball League	200.00
Hamilton Civic Employees Golf Tournament	200.00
First Place Community Centre	11,000.00
91st Highlanders Athletic Association	12,640.00
Association for Children with Learning Disabilities (Day Camp)	2,500.00
Hamilton Horticultural Society	300.00
Imperial Order Daughters of the Empire	4,930.00
Westdale Kiwanis Club (Music Festival)	1,650.00
Mount Hamilton Horticultural Society	300.00
National Youth Orchestra of Canada	200.00
Senior Citizens Drop-In Centre	250.00
Hamilton Jewish Social Services	7,900.00
Victorian Order of Nurses (Meals-on-Wheels)	10,509.00
Hamilton and District Labour Council	350.00

Note: Submitted with this agenda is background information relative to the organizations listed above.

Members of City Council are advised that the Finance Committee is continuing its review of grants under its jurisdiction and it is intended that whenever the application of the "Sunset" rule is being considered, the organization which may be affected will be notified and asked to meet with the Finance Committee prior to any final decision being made.

RESPECTFULLY SUBMITTED,

ALDERMAN P. O. VALERIANO,
CHAIRMAN.

R. M. Collier, Secretary.
May 7, 1981.

REPORT OF THE PARKS AND RECREATION COMMITTEE

*To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its ELEVENTH Report for 1981, and respectfully recommends:

1. That the following family admission rates be established and implemented effective June 15th, 1981:

Dundurn Castle	\$6.00
Whitehern	\$3.25
Military Museum	\$2.75
Children's Museum	\$2.75

NOTE: A family is defined as parents and all children 12 years of age and under.

The committee wishes to advise City Council that implementation of these rates will result in a loss in revenue of approximately \$2,400.00 in 1981.

2. That item 16 of the Thirty-sixth Report of the Board of Control, adopted by City Council at its meeting August 26th, 1980, which authorizes the leasing of a 1924 Ahrens Fox Pumper to The Box Forty-three Association be amended as follows:

- (a) That the 20 year lease commence as of June 1st, 1981.

NOTE: For the information of the members of City Council, an amount of \$4,000.00 being the estimated financial responsibility of the City for licencing and insuring this this vehcile over the 20 year period, is being set aside in a separate reserve account and shall be applied from time to time to cover the city's costs.

3.
 - (a) Approval of the leasing of the property at 127 West Avenue South to Jon and Donna Maiuk, at a monthly rental of \$295.00 (including realty taxes).
 - (b) That the Mayor and City Clerk be authorized to execute the tenancy agreement.
4.
 - (a) Approval of the leasing of the property at 113 Graham Avenue North to Robert and Ann Crepeault, at a monthly rental of \$275.00 (including realty taxes).
 - (b) That the Mayor and City Clerk be authorized to execute the tenancy agreement.

5. Approval of the acquisition of the property at 50 Holly Avenue, from Sydney and Winnifred Moss, for the sum of \$29,000.00. Option to be accepted on or before May 29th, 1981. Cash on closing of sale, which shall be on or before July 24th, 1981.

This property is required for parks purposes in McAnulty Neighbourhood. Sufficient funds are available in account #0408-C06036, to provide for this acquisition..

6. Approval of the acquisition of the property at 33 Elgin Street, from Harve Tamaki, for the sum of \$23,000.00. Option to be accepted on or before May 29th, 1981. Cash on closing of sale, which shall be on or before July 6th, 1981.

This property is required for parks purposes in the Beasley Neighbourhood. Sufficient funds are available in account #0408-C66046, to provide for this acquisition.

7. That the Managing Director, Hamilton Historical Board, be authorized to participate in the Experience '81 Programme, to provide summer staff at the Childrens' Museum.

The city's share of participation in the programme is 25% and will involve an expenditure of \$1,970.00.

It is recommended that the Finance Committee be requested to recommend the method of financing the city's share (\$1,970.00) of this cost.

Respectfully submitted,

ALDERMAN K. M. EDGE, CHAIRMAN
PARKS AND RECREATION COMMITTEE

J. J. Schatz, Secretary
April 30th, 1981

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton

Members of Council:

"The Planning and Development Committee presents its FOURTEENTH Report and respectfully recommends:-

1. That approval be given to City Initiative 81-L to establish modifications to the zoning regulations applicable to lands located on the south side of Colgate Court, east of Clifton Downs Road, as shown on the attached map marked as APPENDIX "A" on the following basis:
 - i) that the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District Regulations applicable to the subject land be modified so as to permit the following variances and restrictions:
 - a) that notwithstanding Section 10(3)(ii) of By-law 6593, no side yard shall be required along one side of each lot, except that a minimum side yard of 1.2 metres shall be provided and maintained along a flankage side abutting a street and along any side of a lot abutting any other residential district;
 - b) that notwithstanding Section 10(4)(i) of By-law 6593, a lot for a single family dwelling shall have a minimum width of 9.0 metres and a minimum lot area of 278 square metres;
 - c) that notwithstanding Section 10(1)(iii) of By-law 6593, development of townhouses shall not be a permitted use;
 - ii) that the amending By-law be added to Section 19(b) of the Zoning By-law as Schedule S-748, and that the subject land on Zoning District Map W-27B be notated S-748;
 - iii) that the City Solicitor be directed to prepare a By-law to amend Zoning By-law 6593 and Zoning District Map W-27B and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk;
 - iv) that as a condition of rezoning of the lands, the applicant register on title a notice to inform a prospective purchaser that an easement along each reduced side yard should be provided for maintenance purposes;
 - v) that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The purpose of the by-law is to amend the established "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District provisions to permit

"zero lot line" single family detached dwellings on lots having a minimum lot frontage of 9.0 metres, a minimum lot area of 278 square metres, and no side yard on one side only.

This by-law applies to vacant lands located on the south side of Colgate Court, east of Clifton Downs Road. This rezoning will permit the subject lands to be developed in conjunction with the abutting lands to the south also zoned "D" modified.

2. That Zoning Application 81-17, MacLeod Group, owners, requesting a change in zoning from "AA" (Agricultural) and "C" (Urban Protected Residential, etc.) Districts to "HH" (Restricted Commercial) and "G-3" (Public Parking Lots) Districts, be refused for the following reasons:
 - i) the proposal does not comply with the existing City Official Plan;
 - ii) the proposal does not comply with the New City Official Plan (presently before the Minister);
 - iii) the proposal does not comply with the Regional Official Plan;
 - iv) the proposal is not in conformity with the Yeoville Neighbourhood Plan;
 - v) an approved Neighbourhood Plan for the Kernighan Neighbourhood is not available; and
 - vi) approval of the application would necessitate the relocation of the east-west "Freeway" corridor which is not desirable.
3. That approval be given to Application SA 80-07, Rambler Building Corporation Limited, owner, to establish a draft plan of condominium located west of Garth Street and north of the Proposed Mountain Freeway, as shown on the plans attached, subject to the following conditions and requirements:
 - i) that this approval apply to the plan prepared by A. J. Clarke and Associates, dated December 16, 1980, showing 34 units;
 - ii) that the applicant submit a site plan application for the development and that the final plan conform with the approved site plan for the development;
 - iii) that the City of Hamilton "Residential Standards to Control the Effects of Freeway Noise" apply to this condominium where applicable;
 - iv) that the proposed Condominium development conform with the restricted area by-law for the City of Hamilton approved by the Ontario Municipal Board under Section 35 of The Planning Act;
 - v) that such easements as may be required for utility or drainage purposes be granted to the appropriate authority;

- vi) that all hydro utilities be installed underground;
 - vii) that the main access driveway be widened to 7.62 m (25 feet);
 - viii) that the owner satisfy all requirements, financial and otherwise of the City of Hamilton.
4. That approval be given to City Initiative 81-D to amend subsection (2) of section 3 of Zoning By-law 6593 with respect to "Non-Conforming Uses", as follows:

3.(2d) Restoration of Legal Non-Conforming Uses

In the case of a single-family or two-family dwelling, or any building or structure accessory thereto, nothing in this By-law shall prevent the strengthening, restoration or reconstruction of any such building or structure or part thereof, provided that the strengthening, restoration or reconstruction does not increase the height, area or volume, or change the use of such building or structure.

EXPLANATORY NOTE:

The by-law will provide a general exemption to the district provisions of By-law 6593 with respect to the strengthening, restoration or reconstruction of legal non-conforming single-family and two-family dwellings, including any building or structure accessory thereto.

5. That the Development Agreement registered as Instrument No.45239 L.T. on June 22, 1976 which established development control for property known as 34 Bow Valley Drive, be discharged subject to the following conditions:

- i) That an "As Constructed" grading plan be approved by the Commissioner of Regional Engineering.
- ii) That the City Solicitor proceed accordingly.

NOTE: The Agreement relates to plans and drawings for a 15 unit townhouse project which was established on the property known as No.34 Bow Valley Drive. This project has been completed and this request has been made by the owner, The Wentworth Condominium Corporation No.63.

6. That Development Agreement (DA-76-49) registered as Instrument No.38993 C.D. on February 8, 1977 which established development control for the property known as No.1967 Main Street West be discharged and that the City Solicitor proceed accordingly.

NOTE: The agreement relates to plans and drawings for a 49 unit condominium townhouse project to be established at property

known as No.1967 Main Street West. The project has been completed and this request has been made by the owner, The Wentworth Condominium Corporation No.70.

7. That the Corporation of the City of Hamilton accept the sum of \$46,050.00 as a cash payment in lieu of 5% parkland dedication in connection with "Hillside Terrace (Phase I)" Final Plan of Subdivision - SA 77-14 (1)
8. That the Corporation of the City of Hamilton accept 303.51 square metres (.075 acres) as part of the 5% parkland dedication in connection with Almas Gardens (Phase II) and the sum of \$76,415.00 as the remainder of the 5% dedication - SA 80-06 Phase II
9. That the Corporation of the City of Hamilton accept the sum of \$16,300.00 as a cash payment in lieu of 5% parkland dedication in connection with "Templemead No.2 Survey (Phase I)" Final Plan of Subdivision (SA 80-02 Phase I)
10. That the Corporation of the City of Hamilton accept lands having an area of 945.70 square metres (.23 acres from Parkland Credit - Block A, M-294) as 5% parkland dedication in connection with "Cardinal Heights Addition No.4 - Phase II" Final Plan of Subdivision - SA 79-06 (2)
11. That the Corporation of the City of Hamilton accept land having an area of 640.01 square metres (.16 acres from Parkland Credit - Block A, M-294) as 5% parkland dedication in connection with "Cardinal Heights Addition No.4 - Phase 3" Final Plan of Subdivision - SA 79-06 (3)
12. That the Corporation of the City of Hamilton accept the following lands:
 - 0.50 Metre Reserves - Blocks 30 and 31 in connection with Templemead No.2 Survey (Phase I) - SA 80-02 Phase I
 - Grantors: Robert Shelley Construction Limited, Cohoe Contracting Limited, J. Gollob Construction Limited and Seebeck Construction Company Limited.
 - 0.50 Metre Reserve - Block 19 in connection with Cardinal Heights Addition No.4 - Phase 2 - SA 79-06 (2)
 - Grantor: Abbotsford Homes Limited, C. B. Campbell - President.
 - 0.50 Metre Reserve - Blocks 28 and 29 in connection with Cardinal Heights Addition - Phase 3 - SA 79-06 (3)
 - Grantor: Abbotsford Homes Limited, C. B. Campbell - President.

13. That a maximum amount of \$24,000.00 be made available from the Municipal Incentive Grant Fund of \$86,000.00 to finance the cost of modifying eight (8) dwelling units for use by the physically disabled, when these units have been identified by the Ontario March of Dimes in their Housing and Support Services Project.

EXPLANATORY NOTE:

On August 26, 1980 City Council adopted a resolution requesting that the Ministry of Housing budget for and provide in Hamilton seven (7) units of accommodation modified for use by the physically disabled. Further, the resolution stated that \$100,000.00 of City Municipal Incentive Grant (M.I.G.) funds be held in reserve.

City Council released \$14,000.00 from the M.I.G. Fund to finance modifications to the seven (7) dwelling units. Once the Ontario March of Dimes proposal is complete, not less than \$62,000.00 will remain in the M.I.G. Fund, earmarked for housing for the physically disabled.

14. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:-

19 Woodbine Crescent
23 Woodbine Crescent

21 Woodbine Crescent
439 Kenilworth Avenue North

15. That the City of Hamilton accept a Quit Claim from Canadian National Railway for 48.4 square metres of land adjacent to Birge Park, and described as Part 1, Reference Plan 62R-5540 and approve the payment of \$250.00 to C.N.R. as a processing fee to be charged to Account 0405-L6301-5.

16. Approval of the following addition to a contract previously approved by City Council:

Pigott Construction Ltd. re: Hamilton Convention Centre for various miscellaneous revisions and additions to the electrical work in the contract, including revisions to an exhaust hood plus various lighting fixture wiring and conduit changes in the total amount of \$6,737.92, in accordance with Change Order No.1095.

17. That the application submitted by Turkstra, Dore, Barristers and Solicitors on behalf of the Hamilton-Wentworth Creative Arts Inc., to use the lands at the south-west corner of York Boulevard and Park Street, for the purpose of conducting the Circus Tivoli from the 8th June 1981 to the 21st June 1981, inclusive, be approved subject to the following conditions:

- a) that the applicant make satisfactory insurance arrangements to indemnify the City and The Parking Authority from any loss, damage or legal action arising out of the granting of this permission;

- b) that the applicant deposit with the City the sum of \$1,000.00 as a guarantee for clean-up and repairs of any damage which may be done to the property;
 - c) that The Parking Authority is financially compensated for the use of the property on the basis of the average daily earnings, per space, times the number of spaces used, times the number of days;
 - d). that the parking lot and the other lands are restored to their original condition after use;
 - e) that the applicant be responsible for the reinstatement of the existing fence if it is removed or disturbed during the period covered by this application;
 - f) that this permission is subject to these lands not being required by the City for development purposes.
18. That the City Solicitor be authorised and directed to prepare a by-law for the demolition of building and the clearing of lands at 42 Evans Street pursuant to Subsection 21 of Section 36 of The Planning Act.
19. That leave be granted to introduce the following Bills:-
- (a) Bill D-61 - By-law to authorize Demolition and Clearing of Buildings, Structures, Debris or Refuse at Municipal No.329 Catharine Street North
 - (b) Bill D-62 - By-law to authorize Demolition and Clearing of Buildings, Structures, Debris or Refuse at Municipal No.331 Catharine Street North
 - (c) Bill D-63 - By-law to authorize Demolition and Clearing of Buildings, Structures, Debris or Refuse at Municipal No.333 Catharine Street North
 - (d) Bill D-64 - By-law to amend the Property Standards By-law No.74-74 respecting Solid Fences
 - (e) Bill D-65 - By-law to amend Zoning By-law No.6593 respecting land located on the west side of Upper Horning Road
 - (f) Bill D-66 - By-law to adopt Official Plan Amendment No.358 respecting land located in the area north of Main Street East, south of the C.N.R. tracks, east of Gage Avenue North and west of Ottawa Street North
 - (g) Bill D-67 - By-law to adopt Official Plan Amendment No.359 respecting land located on the north side of Lawrence Road, in the area east of Kenilworth Avenue
 - (h) Bill D-68 - By-law to amend Zoning By-law No.6593 respecting land located at Municipal Numbers 1774 to 1780 King Street East

- (i) Bill D-69 - By-law to establish Site Plan Control respecting land located at Municipal Nos.1774 to 1780 King Street East
- (j) Bill D-70 - By-law to adopt Official Plan Amendment No.360 respecting land located at the north-east corner of Rymal Road East and Upper Sherman Avenue
- (k) Bill D-71 - By-law to amend By-law No.68-264 respecting land located to the rear of property at Municipal No.2736 Barton Street East
- (l) Bill D-72 - By-law to remove part of "Mohawk Gardens Phase Two" Registered Plan of Subdivision from Part-lot Control
- (m) Bill D-73 - By-law to amend Zoning By-law No.6593 respecting land located north of the proposed Mountain Freeway, in the area east of Upper Paradise Road
- (n) Bill D-74 - By-law to confirm proceedings of The Council of The Corporation of The City of Hamilton at its meeting held on the 12th day of May A.D.1981

Respectfully submitted

JDT:bg
May 7, 198

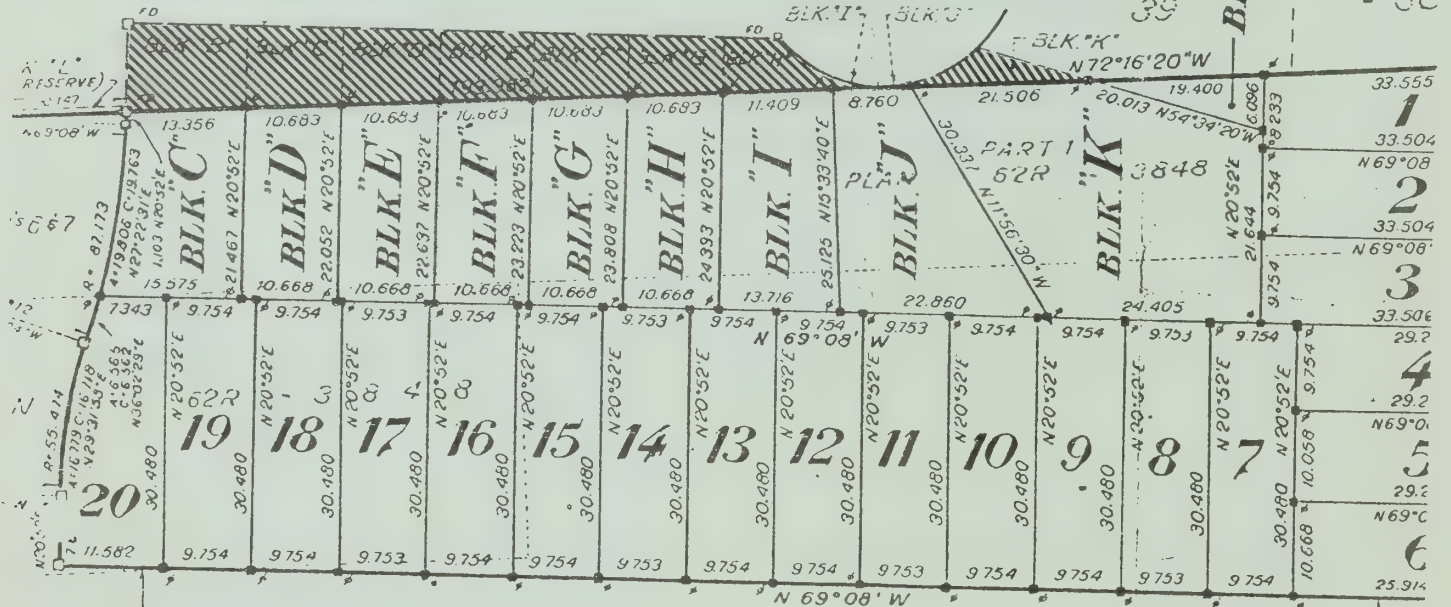
Alderman W. M. McCulloch, Chairman
Planning and Development Committee

CLIFTON IDC

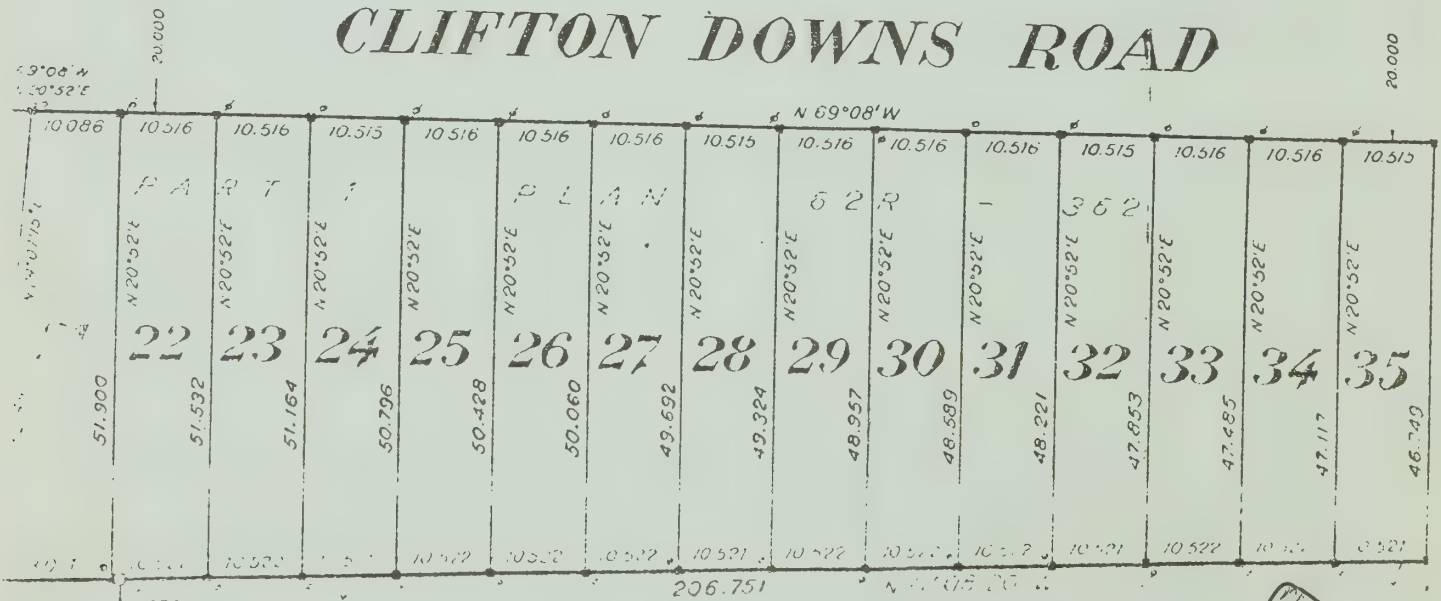
APPENDIX A

APPENDIX A

COLGATE COURT



CLIFTON DOWNS ROAD



PROPOSED MOUNTAIN FREEWAY

APPENDIX A

LEGEND



Change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "D" modified.

APPENDIX A

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its TENTH Report for 1981 and respectfully recommends:

AIRPORT

1. That the City endorse a request from International Air Cargo Terminals Ltd. (Intact) to provide a taxi-way connecting Intact's hangar apron to the existing Hamilton Civic Airport runway system, and further, that the City support Intact's proposal for a Duty Free Industrial Park at Hamilton Civic Airport, when said proposal is brought before the Regional, Provincial and Federal levels of government.
2. Whereas Van Beek Construction was leasing two bays in building T8 as a monthly tenant and whereas the Treasury Department has advised that no rental payments have been received for 1980 and an inspection of the building has revealed that it is vacant, and whereas the Solicitor's Department has advised that it is unlikely these arrears can be collected, it is therefore recommended that the lease with Van Beek Construction be terminated and the rental arrears of \$480.00 be written off.
3. Whereas the fixed based operators at Hamilton Civic Airport are only leasing the lands on which their hangars are situated and whereas this practice is not consistent with other airports in Ontario, it is therefore recommended that the fixed based operators at Hamilton Civic Airport be charged the additional rent as outlined on the list appended hereto and further, that these increases commence as of August 1st, 1981.

Note: In 1977 the Ministry of Transport requested that the Airport Committee charge a rental for the apron space adjacent to the hangar doors which are used for ingress and egress and also charge a rental for the parking of aircraft on the parking area in front of the hangars. The Real Estate Department forwarded its recommendations respecting these additional land rental rates to the Airport Committee on June 14, 1979 and these rental rates were approved by City Council on June 26, 1979.

On December 12, 1979 the fixed base operators spoke to the Airport Committee regarding the additional charges and as a result, the Committee was prepared to recommend to Transport Canada that these charges be spread over a three year period.

On March 13, 1980, the Airport Committee recommended that all motions respecting increased rental rates be tabled pending a response from

Airport Continued...

the Ministry regarding improved airport facilities. This recommendation was approved by City Council on March 25, 1980. This was reaffirmed by the Airport Committee on May 26, 1980 and approved by City Council on May 27, 1980.

4. Whereas the Department of Transport has initiated plans for the expansion of the Hamilton Civic Airport, it is therefore recommended that the rent increases for Nordair as proposed by the Department of Transport in 1979 and outlined on the list appended hereto, be approved.

Note: As the original commencement date of January 1st, 1980 has expired, it is recommended that the new rental rates as outlined on the attached list should commence as of January 1st, 1981.

5. Whereas the procedure at other airports with respect to car rental agencies, is to charge a rate per square foot for counter area and a monthly charge for each parking space and whereas the car rental agencies at Sudbury Airport are presently paying \$12.00 per square foot for counter area and \$12.50 per month per parking space, it is therefore recommended that the rent for space lease to the car rental agencies at the Hamilton Civic Airport be increased to \$12.00 per square foot for counter area plus taxes and \$12.50 per month per parking space plus taxes. The new rate to be effective June 1st, 1981.

Note: As this is quite a substantial increase, it is recommended that the rent increase be phased in over a three year period.

6. That the following land rental rates, which are in accordance with the "Definition of Uses" provided by Transport Canada, be approved:

Commercial 1 - Terminal building area with its associated uses such as baggage handling, commercial retail outlets, ticketing counters, car rental sales and storage, roomette accommodation and office space.	10 cents per sq. ft. plus taxes
Commercial 2 - Any use related to freight, express mail or other goods and services.	6 cents per sq. ft. plus taxes.
Commercial 3 - Aviation area accessible by aircraft.	5 cents per sq. ft. plus taxes.
Agricultural - Restricted as to type of crop.	\$10.00 per acre per year plus taxes.

It is understood that these rental rates reflect fair market rents as of this date.

CITY ENGINEERING

7. Whereas the retention of Block "CX" is no longer necessary since Ravenbury Drive has been extended by the registration of Randall Estates (Phase 2) Plan M-283, it is therefore recommended that the City Solicitor be directed to proceed with the preparation of a by-law to extend Ravenbury Drive by incorporating therein Block "CX" Randall Estates (Phase 1), Plan M-200.

8. Whereas the retentions of Block "J" is no longer necessary since Berkindale Drive has been extended by the registration of Beckley Manor (Phase 4), Plan M-280, it is therefore recommended that the City Solicitor be directed to ' proceed with the preparation of a by-law to extend Berkindale Drive by incorporating therein Block "J" Barfield Heights, Plan M-37.

9. Whereas the retention of Block "I" is no longer necessary since Crystal Court has been extended by the registration of Beckley Manor (Phase 4), Plan M-280, it is therefore recommended that the City Solicitor be directed to proceed with the preparation of a by-law to extend Crystal Court by incorporating therein Block "I" Barfield Heights, Plan M-37.

10. That the City Solicitor be directed to proceed with the preparation of a by-law to widen Lake Avenue from Barton Street to Curtis Street, being Parts 1 to 34 inclusive on Reference Plan 62R-368.

Note: The Corporation has been acquiring the necessary lands for this widening since 1971 and the last transaction has just taken place. Construction on the widening has already commenced and will be completed shortly.

REGIONAL ENGINEERING

11. That the following recommendations of the Commissioner of Engineering with respect to Fencing of Railway Rights-of-Way in Urban Areas, be approved:

- (i) In order to take advantage of the cost sharing responsibilities and any subsidy arrangements that may precipitate from the study being undertaken by the Standing Committee of Transport, that the City of Hamilton's Fencing of Railway Rights-of-Way ' Policy adhere to the recommendations from that study.
- (ii) The City of Hamilton petition the Canadian Transport Commission to review the existing fencing exemptions within the City of Hamilton to determine if such exemptions are still desirable.
- (iii) The City of Hamilton make representation to the Standing Committee on Transport to advise that the City of Hamilton:
 - a) wants a review of the type of fencing used along the railway rights-of-way within the urban area, and

Regional Engineering Continued...

- b) wants a review of the warrants for at-grade pedestrian crossings to permit greater accessibility and delineation thereof across the railway rights-of-way.

and is of the opinion that:

- a) as the local authority the City of Hamilton is prepared to undertake the supervision of any construction contracts,
- b) the Federal Government, the Provincial Government, the Municipal Government and the Railway Authority should all share in the costs for the fencing of railway rights-of-way with chain link fence, with the Municipal Jurisdiction contributing a sum to be negotiated,
- c) despite the cost sharing agreement on the capital construction costs, the maintenance costs will continue to be the responsibility of the railway authority.

12. Whereas the City Council at its meeting held October 14, 1980 adopted a recommendation of the Planning and Development Committee that a Subdivision Agreement be entered into between the City and Robert Shelley Construction Limited, Frank Husak Limited, DiCenzo Construction Company Limited and Canada Permanent Trust Company as owners of the proposed subdivision and whereas the City will not share in the cost of installation of Municipal services in this development, it is recommended that:

- i) The submitted schedules dated April 15, 1981 and approved by the Commissioner of Engineering on April 22, 1981 for the estimated cost of services, be approved for inclusion in the proposed Subdivision Agreement.
- ii) The approval of the above clause be subject to the condition that work not be commenced until the final survey plan and the Subdivision Agreement have both been registered.
- iii) In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for pre-servicing.

Regional Engineering Continued...

13. Whereas it is desirable and expedient that certain works be undertaken, it is hereby recommended:

- i) That the report of the Commissioner of Engineering and the City Treasurer appended hereto, recommending the construction of concrete alley and a finished roadway as local improvements on petitions of the property owners pursuant to Section 11 of the Local Improvement Act, be adopted.
- ii) That the City Solicitor be directed to make application for approval under Section 64 of the Ontario Municipal Board Act.
- iii) That the Regional Commissioner of Engineering be authorized to construct these works on behalf of the City of Hamilton.

14. Whereas it is desirable and expedient that certain works be undertaken, it is hereby recommended:

- i) That the report of the Commissioner of Engineering and the City Treasurer appended hereto, recommending the construction of a concrete sidewalk as local improvements on initiative pursuant to Section 12 of the Local Improvement Act be adopted.
- ii) That the City Clerk and the City Treasurer be directed to give the necessary notice of the Council's intention to undertake these works.
- iii) That the City Solicitor be directed to make application to the Ontario Municipal Board for approval of the described undertaking pursuant to Section 64 of the Ontario Municipal Board Act if no petition has been filed or an insufficient petition has been filed against the work as set forth in Section 12 of the Local Improvement Act.
- iv) It is also recommended that the Regional Commissioner of Engineering be authorized to undertake these works on behalf of the City of Hamilton.

15. That the recommendations of the Commissioner of Engineering with respect to Wheelchair Ramp Locations be approved as outlined in the attachment appended hereto.

16. Whereas the City of Hamilton has applied to close a portion of Bromley Road and whereas the Civic Departments have no objections to this closing, it is therefore recommended:

- i) That the City Solicitor be directed to prepare a proposed by-law and to make an application to the Ministry to seek necessary approval for the stopping-up, closing, and sale to the abutting owners for that portion of Bromley Road pursuant to Section 443 of the Municipal Act, R.S.O. 1970.
- ii) That the City Clerk be directed to publish a notice pursuant to Section 446 of The Municipal Act, R.S.O. 1976 of City Council's intention to pass the proposed by-law.
- iii) That the Real Estate Department be directed to fix:
 - (a) The price at which the freehold of the stopped-up highway is to be sold.
 - (b) The period within which the abutting owners have the right to purchase the soil and freehold.
- iv) That the Applicants register a reference plan under the Registry Act, said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the City Surveyor and to delineate the manner in which the closed portion is to be distributed among the abutting owners and that the applicants deposit a reproducible copy of said plan with the City Surveyor.
- v) That the Commissioner of Engineering be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing under Section 51 of Bill 199.

17. Whereas the City is in receipt of an application to temporarily close Undermount Avenue between Aberdeen Avenue and Glenfern Avenue to hold a Street dance on Friday, May 8, 1981, and whereas there is no cost to the City as a result of this temporary closure and whereas the events to take place during this temporary closure will be under the supervision of the Regional Police, it is therefore recommended that Undermount Avenue between Aberdeen Avenue and Glenfern Avenue be closed between the hours of 7:00 p.m. and 12:30 a.m. on Friday, May 8, 1981, provided:

- i) That all signing and barricading will be subject to the direction of the Regional Police Department and at no cost to the City.

Regional Engineering Continued...

- ii) That clean-up will be carried out immediately following the reopening of the City street, at not cost of the city.
- iii) That adequate public liability insurance be provided to hold the City harmless from all actions, interests, claims, demands, costs, damages, expenses and loss.

18. Whereas two (2) agreements, respecting paving were entered into by the City of Hamilton and the owners of property which is now part of St. John's Place, dated April 5, 1919 and August 8, 1923 and registered as Instrument Nos. 193552 (Ham) and 253769 (Ham) respectively and whereas these agreements are no longer applicable, it is now recommended:

- i) That the present owner(s) discharge the said agreements at their own expense and to the satisfaction of the City Solicitor.
- ii) That the appropriate officials be authorized to execute the documents in relation to these discharges.

REAL ESTATE

19. That the sale of City owned land adjacent to 339 Centennial Parkway to Walter Matesa at a price of \$20,000, be completed.

Note: It is understood that said lands are now surplus to Municipal requirements.

20. That the City convey a surplus parcel of land measuring 90 feet by 27 feet at 138 Limeridge Road East as follows:

- i) a parcel 45' X 17', more or less, to James James and Rachel James, 138 Limeridge Road East for \$1.00.
- ii) a parcel 45' X 17', more or less, to James Jeffs and Betty Jeffs, 134 Limeridge Road East for \$1.00.

Note: Subject parcel 90'X27' was dedicated to the City in August 1967 for roadway purposes. Limeridge Road was expected to be 120 feet wide at that time. The Mountain Freeway changed this concept and Limeridge Road is now scheduled to be 86 feet wide. Therefore the southerly 17 feet is surplus and is being deeded back to the abutting owners with a 10 foot strip being retained for future road widening. The Finance Committee authorized the sale of subject parcel on December 11, 1980.

21. That the sale of excess City owned lands known as part of Lot 4, Broken Front Concession, formerly in the Township of Barton, now in the City of Hamilton lying between Industrial Drive and Burlington Street East, east of Ottawa Street North, to Dofasco Inc., for the sum of \$810.00 be completed.

Note: Said parcels of land contain a total of 393 square feet (.009 acres) and more particularly known as Parts 3 and 4 according to Reference Plan 62R-5047.

This transaction shall be closed on or before the 17th day of July, 1981, provided that, if the purchaser has been unable by that date to satisfy the condition set out in paragraph 16 of this agreement, the closing date may be extended in accordance with paragraph 8 hereof.

The purchaser shall have the option of closing this transaction at any time within three months after the date set out in paragraph 7 hereof; in this event the purchaser shall pay interest at 6 percent per annum on the unpaid balance from the date set out in paragraph 7 hereof to the day on which this transaction actually closes. In any event, if this purchase does not close by October 17, 1981, this transaction shall be null and void and the deposit shall be returned forthwith to the purchaser without interest or deduction.

It is understood and agreed by the purchaser that a driveway entrance to the lands being purchased from Industrial Drive will not be permitted.

It is understood and agreed that prior to any development taking place on the lands being purchased, the Purchaser shall satisfy the Regional Engineering Department as to the matter of surface drainage.

It is understood and agreed that this Offer to Purchase is conditional upon the purchaser purchasing the parcels of land designated as Parts 2, 5 and 6 on Reference Plan 62R-5047; failing which this Agreement shall, at the option of the purchaser, by notice to the vendor, be null and void, in which event the deposit shall be forthwith returned to the purchaser without interest or deduction. This condition shall be for the benefit of the purchaser and the purchaser shall have the unilateral right to waive this condition at anytime or times.

This Offer to Purchase is subject to the City of Hamilton obtaining title to Parts 3 and 4, Plan 62R-5047 from the Toronto, Hamilton & Buffalo Railway and the Canadian National Railway.

Real Estate Continued....

22. That the soil and freehold of the stopped-up highways of Hampton Street, Wallace Street and MacAnulty Boulevard be sold at a price of \$1.00 to the Regional Municipality of Hamilton-Wentworth and that the Region have sixty (60) days from the passing of the by-law to stop-up, close and sell these road allowances within which to purchase the said soil and freehold.

23. That the agreement by the owner to accept compensation from Midas Canada Inc. for the purchase by the City for all business interests in the real property known as 457-461 York Street in the sum of \$103,312.35 be completed. This amount to be charged to account 0408-311506.

TRAFFIC

24. That Schedule 9 (Through Highways) of By-law 66-100 To Regulate Traffic be further amended by deleting therefrom the following item, namely:

"MacNab Street from the southerly limit of Main Street to the northerly limit of Hunter Street".

and by adding thereto the following item, namely:

"MacNab Street from the southerly limit of Main Street to the northerly limit of Hunter Street except at Jackson Street".

25. That Schedule 10 (Stops at Intersections) be amended by deleting therefrom the following items, namely:

"Cope	Northbound	Southbound	Dunsmure
Weir	Northbound	Southbound	Dunsmure
Paling	Southbound		Dunsmure
Paling Court		Northbound	Dunsmure
Dunsmure	Eastbound	Westbound	Tragina
Dunsmure	Eastbound	Westbound	Fairfield
East 14th	Northbound	Southbound	Bruce Dale
East 18th	Northbound	Southbound	Bruce Dale
East 25th	Northbound,	Southbound	Bruce Dale
East 32nd	Northbound	Southbound	Bruce Dale
East 34th	Northbound	Southbound	Bruce Dale".

and by adding thereto the following items, namely:

"Dunsmure	Eastbound	Westbound	Cope
Dunsmure	Eastbound	Westbound	Weir
Dunsmure	Eastbound	Westbound	Paling
Tragina	Northbound	Southbound	Dunsmure
Fairfield	Northbound	Southbound	Dunsmure
Bruce Dale	Eastbound	Westbound	East 14th
Bruce Dale	Eastbound	Westbound	East 18th
Bruce Dale	Eastbound	Westbound	East 25th
Bruce Dale	Eastbound	Westbound	East 32nd
Bruce Dale	Eastbound	Westbound	East 34th
MacNab	Northbound	Southbound	Jackson".

Traffic Continued.....

26. That Schedule 23 (Hamilton Street Railway Bus Stops) be amended by deleting from the Outbound Column of the King Table the following item, namely:

"Beland at Main"

and by substituting therefor the following item, namely:

"Beland at Main (MB)"

27. That Schedule 24 (Parking Meter Locations) be amended:

- (a) by deleting from Section 4(c) (Half Hour Limit) the following item, namely:

"Hughson West Jackson to 127 ft. north".

- (b) by deleting from Section 5 (Fifteen Minute Limit) the following item, namely:

"Hughson West 1st north of Jackson".

- (c) by adding to Section 3(a) (One Hour Limit) the following item, namely:

"Inverness North 38 ft. west of Upper Wellington to
a point 40 ft. westerly".

- (d) by adding to Section 3(b) (One Hour Limit) the following item, namely:

"Hughson East Jackson to Main".

28. That Schedule 25 (Parking Time Limits) be amended by adding to Section 6 (One Hour Limit 8:00 a.m. - 9:00 p.m., Monday to Saturday) the following item, namely:

"Myrtle East Main to Delaware".

29. That Schedule 25A (Parking Time Limits) be amended by adding to Section 8 (Two Hour Limit 8:00 a.m. - 6:00 p.m., Monday to Friday), the following item, namely:

"West 3rd West Monarch to Wembley".

30. That Schedule 26 (No Parking Areas) be amended:

- (a) by deleting from Section A (No Parking Anytime) the following items, namely:

"High East Fennell to Idlewood
Stirton East Barton to 195 ft. south".

Traffic Continued....

and by adding thereto the following items, namely:

"High	West	Fennell to Idlewood
Stirton	East	Barton to Cannon
Harvey	North	Stirton to Birch".

(b) by deleting from Section B (Loading Zones) the following items, namely:

"Inverness	North	38 ft.	40 ft. west of	Anytime
Park	West	40 ft.	Upper Wellington	
			138 ft. north of	
			Charlton".	

and by adding thereto the following items, namely:

"Park	West	40 ft.	138 ft. north of	8:00 a.m.-6:00 p.m.
			Charlton	Monday to Saturday
Barlake	North	29 ft.	80 ft. east of	
			Violet".	

(c) by deleting from Section C (No Parking 7:00 a.m. - 6:00 p.m.) the following items, namely:

"Huntley	East	Northerly end to 20 ft. south
Huntley	West	Northerly end to 30 ft. south".

31. That Schedule 27 (Alternative Side Parking) be amended by deleting therefrom the following items, namely:

"Harvey		
Sanford to Birch	South	North
Stirton		
from 148 ft. south of		
Barton to King	West	
Stirton		
from 195 ft. south of		
Barton to King		East".

and by adding thereto the following items, namely:

"Harvey		
Sanford to Stirton	South	North
Stirton		
Cannon to King	West	East".

Traffic Continued...

32. That Schedule 29 (No Stopping Areas) be amended:

(a) by deleting from Section A (No Stopping Anytime) the following item, namely:

"Hughson West Jackson to Hunter".

and by adding thereto the following item, namely:

"Hughson West Main to Hunter".

(b) by deleting from Section B (No Stopping 7:00 a.m. - 9:00 a.m.) the following item, namely:

"Burlington South Bay to Gage".

and by adding thereto the following items, namely:

"Burlington South Bay to James
Burlington South Wellington to Gage".

33. That Schedule 30 (Commercial Vehicle Loading Zones) be amended by deleting therefrom the following item, namely:

"Inverness North 34 ft. 78 ft. west of Anytime".
Upper Wellington

and by adding thereto the following item, namely:

"Inverness North 22 ft. 78 ft. west of Anytime".
Upper Wellington

34. That City Council approve the report of the Hamilton-Wentworth Regional Police Department and that a School Traffic Officer not be assigned to the intersection of Brucedale Avenue and East 36th Street.

35. That City Council approve the report of the Hamilton-Wentworth Regional Police Department and that a School Traffic Officer not be assigned to the intersection of Albright Road and Quigley Road.

36. That City Council approve the report of the Hamilton-Wentworth Regional Police Department and that a School Traffic Officer not be assigned to the intersection of Whitney Avenue and Leland Street.

37. (a) That no further study be given to the matter of traffic volumes within the Kentley Neighbourhood; and,

Traffic Continued...

- (b) That the Traffic Commissioner be directed to negotiate a revision to the Site Plan By-law for the Eastgate Square Development, which would permit an alteration in the operation of the Queenston Road driveway to the Eastgate Square Development.

37. That the Regional Clerk be advised that no action will be taken with respect to the issuance of Free Parking Passes for convention delegates, visitors and tourists.

MISCELLANEOUS

38. That the Legal Firm of McTaggart, Potts, Stone, Winters & Herridge be retained to provide the City with a legal opinion as to the prospect of success in a civil suit to recover the estimated amount as at April 2, 1979, of Nineteen million two hundred and sixty-five thousand nine hundred and seventy dollars (\$19,265,970.00) in connection with the discontinuance of railway passenger service between Hamilton and Welland (being part of the service between Toronto, Hamilton, Welland and Fort Erie) by the T.H.&B.

Note: The estimate submitted by this firm for the opinion is a range between \$3,500.00 and \$4,500.00

39. That McTaggart, Potts, Stone, Winters & Herridge be paid the sum of \$4,365.00 to cover services rendered by Peat, Marwick, Mitchell & Co. for preparation of accounting evidence in the City's case against the Hamilton Harbour Commissioners.

40. That the recommendation of the Director of Purchases respecting the following be approved:

- (1) Rantex Brushes Inc. - for the supply and delivery of Broom Stock for Street Sweepers, in accordance with specifications issued by the Director of Purchases and Vendor's Tender for the total sum of \$11,721.60 (Ontario Sales Tax Exempt).

Note: Lowest of 5 acceptable tenders.

- (11) SMI Industries Ltd. - 1 SMI Model 220 Detachable Snow Blower - \$37,257.00

Note: Only Supplier.

BY-LAWS

That leave be granted to introduce the following bills:

Bill No. E43 - By-law respecting Signs Over Sidewalks and Highways.

Bill No. E44 - By-law to Amend Garbage Collection By-law No. 66-182 respecting Collection of Separated Newspapers.

Bill No. E45 - By-law to Authorize:

(i) The construction of local improvements without petition under Section 12 of the Local Improvement Act on

(ii) The special assessment to pay a portion of the cost of the works by the abutting owners;

(iii) The preparation of plans, specifications and reports and the supervision of the construction by the Regional Commissioner of Engineering.

Bill No. E46 - By-law to amend By-law No. 66-100 To Regulate Traffic.

Bill No. E47 - By-law to amend By-law No. 66-100 To Regulate Traffic.

Bill No. E48 - By-law to establish an alleyway running northerly from Macaulay Street, between James Street and Hughson Street.

Bill No. E49 - By-law to amend Streets By-law No. 9329 respecting changing Reference from "City Engineer" to "Traffic Commissioner" and from "Streets Commissioner" to "Director of Public Works:."

Respectfully Submitted,

Alderman F. Lombardo, Chairman

R. C. Prowse, Secretary
May 4, 1981
Attachments.

ADDITIONAL RENTAL AREA

Hamilton Flying Club

Bldg. T35 43,225 sq.ft. Rent \$1,296.75 Expires December 31, 1984
Aircraft Parking & Taxi Area in Front of Building.
314' X 200 = 62,800 sq.ft./2 = 31,400 sq.ft. X .05¢ = (plus taxes) \$1,570.00
Aircraft Apron Adjacent to Hangar
29,000 sq.ft. X .05¢ (plus taxes) 1,450.00
Total Additional Rent Per Year \$3,020.00

Phase In Rent (If Approved)

First Year - \$1,006.57
Second Year - \$2,013.34
Third Year - \$3,020.00 To Termination of Lease December 31, 1984

Peninsula Air Services

Bldg. T34 43,225 sq.ft. Rent \$1,296.75 Expires December 31, 1984.
Aircraft Parking & Taxi Area in Front of Building
314 X 200 = 62,800 sq.ft./2 = 31,400 sq.ft. X .05¢ = (plus taxes) \$1,570.00
Aircraft Apron Adjacent to Hangar
29,000 sq.ft. X .05¢ (plus taxes) 1,450.00
Total Additional Rent Per Year \$3,020.00

Phase In Rent (If Approved)

First Year - \$1,006.57
Second Year - \$2,013.34
Third Year - \$3,020.00 To Termination of Lease December 31, 1984

Condor Aviation Services

Bldg. T33 41,465 sq.ft. Rent \$1,243.95 Expires December 31, 1984
Aircraft Parking & Taxi Area in Front of Building
314 X 200 = 62,800 sq.ft./2 = 31,400 sq.ft. X .05¢ = (plus taxes) \$1,570.00
Aircraft Apron Adjacent to Hangar
29,000 sq.ft. X .05¢ (plus taxes) 1,450.00
Total Additional Rent Per Year \$3,020.00

Phase In Rent (If Approved)

First Year - \$1,006.00
Second Year - \$2,013.00
Third Year - \$3,020.00 To Termination of Lease December 31, 1984

Canadian Warplane Heritage

Bldg. T32 43,225 sq.ft. Rent \$1,296.75 Expires December 31, 1984
Aircraft Parking and Taxi Area in Front of Building
314 X 200 = 62,800 sq.ft./2 = 31,400 sq.ft. X .05¢ = (plus taxes) \$1,570.00
Aircraft Apron Adjacent to Hangar (Less Fire Lane)
24,650 sq.ft. X .05¢ (plus taxes) 1,232.50
Total Additional Rent Per Year \$2,802.50

Additional Rental Area Continued

Phase In Rent (If Approved)

First Year \$ 934.17

Second Year - \$1,868.34

Third Year - \$2,802.50 To Termination of Lease December 31, 1984

Hangar #5

Bldg. T36 24,834 sq.ft. Rent \$745.00 Expires December 31, 1984

Aircraft Parking and Taxi Area in Front of Building

.260 X 200 = 52,000 sq.ft./2 = 26,000 sq.ft. X .05¢ (plus taxes) \$1,300.00

Aircraft Apron Adjacent to Hangar

18,000 sq.ft. X .05¢ = 900.00

Total Additional Rent Per Year \$2,200.00

Phase In Rent (If Approved)

First Year - \$ 733.33

Second Year - \$1,466.66

Third Year - \$2,200.00 To Termination of Lease December 31, 1984

E.A.A.

Bldg. #57 12,080 sq.ft. Rent \$362.40 Expires March 31, 1982

Aircraft Apron on East Side of Building

75 X 300 = 22,500 sq.ft. X .05¢ \$1,125.00

Vehicle Parking Area in Front of Building

80 X 160 = 12,800 sq.ft. X .05¢ = 640.00

Total Additional Rent Per Year \$1,765.00

Phase In Rent (If Approved)

First Year - \$ 588.33

Second Year - \$1,176.66

Third Year - \$1,765.00

(referred to in Section 4)

NORDAIR RENT SCHEDULE

SPACE	1981			1982			1983			1984			1985		
	RATE PER SQ. FT.	ANNUAL RENT	MONTHLY RENT	RATE PER SQ. FT.	ANNUAL RENT	MONTHLY RENT	RATE PER SQ. FT.	ANNUAL RENT	MONTHLY RENT	RATE PER SQ. FT.	ANNUAL RENT	MONTHLY RENT	RATE PER SQ. FT.	ANNUAL RENT	MONTHLY RENT
Office Space 230 sq.ft.	\$11.30	\$ 2,599.00	\$216.58	\$13.55	\$ 3,116.50	\$259.71	\$16.25	\$ 3,737.50	\$311.46	\$19.00	\$ 4,370.00	\$364.71	\$20.00	\$ 4,600.00	\$383.33
Counter Area 160 sq.ft.	\$15.00	\$ 2,400.00	\$200.00	\$18.00	\$ 2,880.00	\$240.00	\$21.60	\$ 3,456.00	\$288.00	\$25.95	\$ 4,152.00	\$346.00	\$30.15	\$ 4,824.00	\$402.00
Baggage Area 420 sq.ft.	\$ 9.10	\$ 3,822.00	\$318.50	\$11.10	\$ 4,662.00	\$388.50	\$13.55	\$ 5,691.00	\$474.25	\$16.50	\$ 6,930.00	\$577.50	\$20.00	\$ 8,400.00	\$700.00
Additional Baggage Area 1441.72 sq.ft.	4.30	\$ 6,199.40	\$516.62	\$ 4.35	\$ 6,271.48	\$522.62	\$ 4.40	\$ 6,343.57	\$528.63	\$ 4.50	\$ 6,487.74	\$540.65	\$ 4.55	\$ 6,559.83	\$546.65
P. A. System		\$ 120.00	\$ 10.00		\$ 120.00	\$ 10.00		\$ 120.00	\$ 10.00		\$ 120.00	\$ 10.00		\$ 120.00	\$ 10.00
TOTAL RENT		\$15,140.40	\$1,261.70		\$17,049.98	\$1,420.83		\$19,348.07	\$1,612.34		\$22,059.74	\$1,838.32		\$24,503.83	\$2,041.91

REPORT ON LOCAL IMPROVEMENTS

To the Chairman and Members of the Transport and Environment Committee

Members of the Committee:

The following works are recommended to be undertaken as Local Improvements under "The Local Improvement Act".

Name or Street upon which work is to be Constructed	Between the following Streets or Points	Project Number	Estimated Lifetime Gross Cost of Work in Years of Work	Share or Portion of Cost which should be Borne by the Lands Abutting directly on the Work to be Debentured	Share or Portion that should be Borne by the Corporation	Reduction Which Ought to be Made under Section 28 of the Act	Aggregate Amount of such Reduction	Estimated Cost Per Metre to be Rated
3.35 m Wide Concrete Alley	(Sec. 11 L.I.A.) (Referred to in Section 13)							
first north of King Street East running east-west from Victoria Avenue N. to East Avenue thence running northerly to King William St.								
Estimated Subsidy: Nil	801-30H	20	29,000.00	9,700.00	19,300.00	101.25 m	\$3392	\$33.50
Estimated Net City's Share \$19,300.00 To be Financed from the 1981 Capital Levy								
8.7 m (28.5') wide Finished Roadway (Sec. 11 L.I.A.) (Referred to in Section 13)								
on Waterloo Street from Brampton Street to Rennie Street	823-39H	20	140,000.00	38,569.00	101,431.00	45.72 m	\$3429	\$75.00
Estimated Subsidy: \$40,000								
Estimated Net City's Share 61,431.00 To be Financed from the 1981 Capital Levy								
1.5 m (5') wide Concrete Walk (Sec. 12 L.I.A.) (Referred to in Section 14)								
on Severn Street (west side) from approx. 85 m (279') south of Colbourne Street to approx. 26.5 m (87') southerly.	819-50H	20	2,400.00	875.00	1,525.00	Nil	Nil	\$33.00
Estimated Subsidy: \$225.00								
Estimated Net City's Share \$1,300.00 To be Financed from the 1981 Capital Levy								

- Estimated cost per metre increased by approx. 120% if debentured over 15 years.

DATED at Hamilton this

day of

A.D., 19

W. H. McFarland

Treasurer and Commissioner of Finance.

J. R. G. Leach

Commissioner of Engineering

REPORT OF THE PERSONNEL COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its SIXTH Report for 1981 and respectfully recommends:

1. Approval of the following increase in rates for the year 1981 for co-op and non co-op student programs:

University Co-op Students

<u>1st yr.</u>	<u>2nd yr.</u>	<u>3rd yr.</u>	<u>4th yr.</u>
\$193.-\$200.	\$206.-\$211.	\$219.-\$224.	\$235.

Community College Co-op Students

<u>1st yr.</u>	<u>2nd yr.</u>	<u>3rd yr.</u>	<u>4th yr.</u>
\$187.-193.	\$200.-\$206.	\$213.-\$219.	\$230..

Students Not on Co-op Program

<u>1st yr.</u>	<u>2nd yr.</u>	<u>3rd yr.</u>
\$160.	\$165.	\$170.

2. Council at its meeting held January 13, 1981 approved By-law #81-37 to appoint a Chief Administrative Officer. Section 3(3) of that by-law provided for:

"All reasonable expenses during the transition period from the date of appointment up to and including May 31, 1981 or until the sale of his home, whichever comes first."

The Personnel Committee now recommends that that time period be extended to June 30, 1981 in order to permit Mr. Sage sufficient time to clear up his personal matters in Sudbury.

RESPECTFULLY SUBMITTED,

ALDERMAN P. DRAGE, CHAIRMAN
PERSONNEL COMMITTEE

G. W. McMillan,
Secretary
April 29, 1981.

MEETING OF CITY COUNCIL

May 26, 1981

A G E N D A

- A Finance Committee
- B Legislation Committee
- C Parks and Recreation Committee
- D Planning and Development Committee
- E Transport and Environment Committee
- F Personnel Committee
- J By-laws

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:-

The Finance Committee presents its THIRTEENTH Report and respectfully recommends:-

1. Approval of a grant of up to \$1,000.00 to the Jimmy Lomax Operation Santa Claus Golf Tournament, c/o Mr. J. C. Custeau, to assist in offsetting green fees for approximately 150 participants in this tournament. This grant to be financed by a transfer from the Contingency Account and credited to Revenue Account No. 0309-5013, Chedoke Golf Club, Recreation Department.
2. Approval of the awarding of the following contracts:-

(a) GULF CANADA LTD., Toronto, Ontario.

Supply of Domestic Fuel Oil #1 (Stove Oil), in accordance with specifications issued by the Board of Education and Vendor's Tender as follows:-

Domestic Fuel Oil #1\$.2280 Per Litre

Posted Tank Wagon Price subject to change upon 30 days written notice.

Note: Lowest of 3 tenders.

(b) BP CANADA LTD., Burlington, Ontario.

Supply of Light Industrial Fuel Oil No. 2, in accordance with specifications issued by the Board of Education and Vendor's Tender as follows:-

Light Industrial No. 2 Furnace Oil\$.1912 Per Litre

Posted Tank Wagon Price subject to change without notice.

Note: Lowest of 3 tenders.

(c) JOHN E. SMITH CONTRACTING LTD., Hamilton, Ontario.

Apply K-13 Acoustical Grade material over existing acoustic material at Huntington Park Swimming Pool
Ceiling\$11,256.00

Ontario Sales Tax Exempt.

Note: Only franchised applicator.

(d)

MURPHY BROS., Hamilton, Ontario.

Supply and Delivery of Tires for 1981, in accordance with specifications issued by the Director of Purchases and Vendor's Tender for the sum of\$22,985.55

Ontario Sales Tax Extra at 7%.

Note: Lowest acceptable tender.

3. Approval of the sale of the City-owned property at 21 Woodleigh Avenue measuring 34.5 feet by 100 feet to Della Taylor for the sum of \$17,000.00. Offer to be accepted on or before May 29, 1981. Cash deposit \$1,700.00. Balance on closing of sale which shall be on or before July 29, 1981.
4. That the City of Hamilton enter into a lease agreement with Famleigh Properties Limited covering their occupancy of the lands being purchased from Re-Vest Holdings Limited, located on the north side of York Boulevard and extending through to Cannon Street, for the period from June 17th to June 30th, 1981 with Famleigh Properties Limited to pay the City the sum of \$2,053.24 for their occupancy of these lands for this period of time.
5. In accordance with the authority granted under the Workmen's Compensation Act, R.S.O. 1970, Ch. 505, Section 8(4), the Finance Committee recommends payment of the sum of \$168.00 to Mr. M. Gawrylash as a result of injuries sustained by Mr. Gawrylash in a motor vehicle accident on October 28th, 1977. This amount represents the balance remaining of the recovery after all damages and disbursements of the City have been deducted. The Workmen's Compensation Act provides that in the event of a recurrence the above sum of \$168.00 will be deducted from the amount of any further compensation or other benefits which Mr. Gawrylash may become entitled to in respect to this accident.
6. Section 20 of the Fifteenth Report of the Planning and Development Committee makes reference to additional funding of \$100,000.00 for the Hamilton Rehabilitation Programme. The Finance Committee recommends that this \$100,000.00 be provided from the Reserve for Capital Projects.
7. Section 3 of the Eighth Report of the Personnel Committee makes reference to the construction of a Fire Station in the east Mountain area - Birchmount Road and Stone Church Road at an estimated cost of \$600,000.00. The Finance Committee recommends that the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for approval of this project at a total estimated cost of \$600,000.00 and for authority to finance the cost by the issuance of debentures for a term not to exceed twenty years.

It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth for consent to issue debentures in an amount of \$600,000.00 for a term not to exceed twenty years.

8. Approval of the request of the Parking Authority of the City of Hamilton that the sum of \$350,000.00 as provided for in the 1981 - 1985 Capital Budget as Project No. F31413 be made available to the Parking Authority for land acquisition and development of additional parking facilities in various locations and that these funds be provided from the Reserve for Off-Street Parking.

RESPECTFULLY SUBMITTED,

ALDERMAN P. O. VALERIANO,
CHAIRMAN.

R. M. Collier, Secretary.
May 21, 1981.

REPORT OF THE LEGISLATION COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council.

The Legislation Committee presents its TENTH Report and respectfully recommends:

GRANTS AND CIVIC HOSPITALITY

1. That a grant in the amount of \$500.00 be made to the Special Events Committee to provide a reception for the members of the Handweiller Saar Band who are performing two free concerts in the City of Hamilton between June 17 and June 20, 1981 as part of their North American tour. Estimated attendance, 100 persons.
2. That a grant in the amount of \$300.00 be made to the Godfrey de Bouillon Preceptory No. 3 Knights Templar to assist in defraying expenses in connection with a luncheon to be held on August 10, 1981 at the Royal Connaught Hotel as part of their reunion. Estimated attendance, 300 delegates.
3. That a grant in the amount of \$1,000.00 be made to the Ontario Professional Firefighters Olympic Committee to help offset the initial cost of organizing the Firefighters Olympics as this is the first year they will be held. These olympics will be held from September 6 - 12, 1981 and the proceeds will go to Muscular Dystrophy. Approximately 1000 firefighters representing many of the Fire Departments in the Province of Ontario will be participating.
4. That a civic reception be provided to approximately 300 performers, organizers and dignitaries associated with the 1981 Hamilton International Air Show to be held on June 20 - 21, 1981. The cost for this reception not to exceed \$2,000.00.
5. That a civic reception be provided on Sunday, September 20, 1981 for approximately 120 - 150 people representing the Inductees and their families, Council members and wives, organizers and spouses and Hall of Fame sponsors as part of the 1981 Football Hall of Fame Induction ceremonies. Estimated cost, \$2,500.00.
6. That a grant in the amount of \$500.00 be provided to the Hamilton Lacrosse Association to assist in staging their 1981 Lacrosse Super Series from July 3 - 5, 1981.

RESOLUTIONS

7. City of Chatham

"WHEREAS statistics show that 4.4 percent of the population of Ontario, 15 years of age or older, not attending school, have a Grade 5 or less education.

AND WHEREAS, The Canadian Association for Adult Education, has defined functional illiteracy as pertaining to a Grade 8 level of education or less.

AND WHEREAS Statistics Canada define a person as functionally illiterate who has less than a Grade 5 education.

AND WHEREAS persons who are functionally illiterate, in many cases, have to depend on society and government agencies for assistance because due to this illiteracy they are unable to obtain meaningful employment or function adequately in society.

AND WHEREAS the Provincial Government has a clear and precise mandate in educational matters.

AND WHEREAS The Ontario Ministry of Education has not established a program of re-education with the aim to eradicate functional illiteracy in this Province.

AND WHEREAS the Council of The Corporation of the City of Chatham deems it essential that this situation be corrected.

BE IT THEREFORE RESOLVED by the Council of The Corporation of the City of Chatham, that:-

1. The apparent widespread incidence of functional illiteracy be brought to the attention of the Honourable Bette M. Stephenson, M.D., Minister of Education for the Province of Ontario, and,
2. The Government of Ontario be requested to establish a program to upgrade the literacy competence of adults as a part of the Provincial Educational System, and,
3. The program so established be funded by the Government of Ontario, through the Ontario Ministry of Education, and,
4. This Resolution be circulated to various municipalities in Ontario as well as The Association of Municipalities of Ontario requesting their endorsement."

CITY HALL FACILITIES

8. That when the City Hall facilities are authorized for use by non-civic groups, on a weekend or holiday, that the group pay the applicable staff charges but that this policy not apply to registered, charitable or religious organizations.
9. Approval of the action of the committee in permitting the "Hamilton Supporters of Israel" to fly the Israeli flag on City Hall on Sunday, May 24, 1981.

LICENSING

10. That the following recommendation of the Licensing Committee be approved.

"That Mr. Donald Horrocks be issued a special taxi-cab owner's licence from the "priority list". Said licence shall not be transferable for a period of fifteen years from date of issuance. Further, said licence or any interest or rights therein shall not be sold, leased, assigned, pledged, mortgaged, deeded or otherwise dealt with by Mr. Horrocks for a period of fifteen years from date of issuance and only then with express prior approval and consent of The Corporation of the City of Hamilton, or its successor otherwise such licence shall immediately cease to be in effect and the City shall be free to revoke and cancel same.

Subject to the above, all provisions of The City of Hamilton Licencing Code 79-323 as amended from time to time, and not in conflict with the above, shall apply.

The Licencing Committee also recommends that the City Solicitor be authorized to take all necessary action to resolve the present court action on the above basis.

Explanatory Note

For the information of the Members of City Council, at its meeting held February 7, 1980, the City of Hamilton Licencing Committee denied Mr. Donald Horrocks a taxi-cab owner's licence. Subsequently on July 29, 1980 Mr. Horrocks served the City with a Notice of Application for Judicial Review requesting that the Licencing Committee's decision be set aside and a taxi-cab owner's licence be issued to Mr. Horrocks. The matter is still pending before the Divisional Court.

On May 11, 1981, the City of Hamilton Licencing Committee met with Mr. Horrocks and his solicitor with a view to resolve the matter. As a result of that meeting, the Licencing Committee is recommending that Mr. Horrocks be issued a special taxi-cab owner's licence based on the terms contained in the above report."

OTHER

11. That permission be granted to the Italo-Canadian Recreation Club for the holding of an outdoor beer and wine garden on the club's premises on 14 Cannon Street West on August 28 and 29, 1981 as part of their 50th Anniversary open house.

Note: It is a requirement of the Liquor Control Board of Ontario that the Club obtain the permission of the City of Hamilton for the holding of such a beer and wine garden. It is understood that the premises are licenced for the sale of wine and beer, however, this event will be outdoors at the Club's premises.

12. That Mayor Powell be authorized to extend an official invitation to the Mayor of Fukuyama, Japan to visit the City of Hamilton with his delegation in August of this year.
13. That the Mayor or his nominee be authorized to represent the City of Hamilton as part of the Hamilton delegation visiting Fukuyama, Japan in September of this year at an estimated cost of \$4,000.00. It is also recommended that the return airfare for the spouse of the City representative be paid by the City as was done on the two previous occasions at an estimated cost of \$1,700.00.
14. That the meeting of City Council scheduled for June 30 be rescheduled to June 23 due to the July 1st holiday.
15. That approval in principle be given to the co-sponsoring of a wine and cheese reception in August of 1982 to the delegates attending the 11th International Congress of Sedimentology to be held at McMaster University. This approval contingent upon the Ontario Geological Survey agreeing to co-sponsor this reception. Estimated attendance, 1000 - 1500 delegates.
16. That the tax adjustments as set out in Schedules A, B and C, Companionate, Realty and Business respectively be approved as recommended by the Tax Appeal Sub-committee as a result of its hearing of May 14, 1981.
17. That leave be granted to introduce the following bill:

Bill B-25 - By-law to confirm proceedings of The Council of The Corporation of the City of Hamilton.

Respectfully submitted,

Alderman J. MacDonald, Chairman

S.G. Hollowell, Secretary
May 20, 1981
SGH/sma

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its TWELFTH Report for 1981 and respectfully recommends:

1. Approval of the leasing of approximately 11,808 square feet of vacant land on the east side of Elgin Street (Beasley Park) to Ron Lee Holdings Limited, commencing on June 1, 1981, at a yearly rental of \$6,300.00 (including taxes), payable in equal monthly installments of \$525.00.
2. Approval of the sale of Lots 61 and 62, Plan M-228, Oakington Estates, Phase V (Milano Court), to Bishopsgate Properties Limited, for the sum of \$52,000.00.

NOTE: These lands were acquired by the City in June 1977, as payment of the required 5% land dedication and are now being resold inasmuch as they are not required for park or recreational purposes.

3. That Alderman K. M. Edge, Chairman, or his nominee, be authorized to attend the 1981 Annual Conference of the Ontario Parks Association to be held in Windsor, Ontario, July 29 to August 1, 1981.
4. Approval of the request of the Eastmount Recreation Council to renovate the washroom facilities at Eastmount Recreation Centre in order to accommodate the physically handicapped, at an estimated cost of \$4,350.00.

NOTE: For the information of the members of City Council, 75% of this cost will be funded by a Wintario Grant with the remaining 25% of the cost being paid by the Eastmount Recreation Council. The Property Maintenance Superintendent will carry out these renovations.

5. Acceptance of the tender dated April 16th, 1981 from Canteen of Canada Limited to pay the City the sum of \$17,000.00 per year for the food and drink concessions at the various rinks, arenas and recreation centres.

This sum is based on 7 oz. hot and cold beverages at a cost of 35¢ per drink.

NOTE: This tender is the highest of two received.

Respectfully submitted,

Alderman K. M. Edge, Chairman
Parks and Recreation Committee

J. J. Schatz, Secretary
May 14th, 1981

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its FIFTEENTH Report and respectfully recommends:-

1. That approval be given to Zoning Application 81-18, Jacqueline Lamkey, owner, for an amendment to the Zoning Regulations applicable to property at No.292 East 24th Street, as shown on the plan as APPENDIX "A" attached, on the following basis:
 - i) That notwithstanding sections 2(2)(H)(iii)(f) and (h) of By-law No.6593 as amended by By-law 81-20, hairdressing shall be permitted as a home occupation, limited in capacity to one hairdresser with a maximum of one comb-out centre and one hair styling sink.
 - ii) That the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-752 and that the subject land on Zoning District Map E-26 be notated S-752.
 - iii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map E-26 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
 - iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The By-law will allow a hairdressing business for one hairdresser only, to be operated on the residential property at No.292 East 24th Street as a home occupation.

2. (a) That By-law No.80-102 be repealed, and
 - (b) That approval be given to Zoning Application 81-21, Norman Fenton, prospective owner, requesting a modification of the "E-3" (High Density Multiple Dwellings) District for the property located at 24/ John Street South, as shown on the plan marked as APPENDIX "B" attached, on the following basis:
 - i) that the "E-3" (High Density Multiple Dwellings) District regulations applicable to the subject lands be modified so as to permit the following variances and restrictions as special requirements:

a) Notwithstanding Section 11C (1) (i) of By-law No.6593, the following uses shall be permitted:

1. In addition to the uses permitted in Section 11C of By-law No.6593, the commercial uses and signs referred to in clause (i), (ii), (iii) and (iv) of subsection 1 of Section 11A of the said By-law; and
 2. The printing, duplicating, and typesetting of business stationery and commercial advertising and the retail sales of wedding stationery, napkins, matches and other accessories, but excluding engraving, stereo-typing and electro-typing.
- ii) that the amending By-law be added to Section 19(b) of the Zoning By-law as Schedule S-753, and that the subject land of Zoning District Map E-5 be notated S-753.
- iii) that the City Solicitor be directed to prepare a By-law to amend Zoning By-law No.6593 and Zoning District Map E-5 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- iv) that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The purpose of the By-law is to repeal By-law No.80-102 and to consolidate the uses that were permitted by By-law No.80-102 in a new By-law and allow for the following additional new uses:

the printing duplicating and typesetting of business stationery and commercial advertising and the retail sale of wedding stationery (napkins, matches and other accessories) but excluding engraving, stereo-typing and electro-typing.

3. That approval be given to Zoning Application 81-25, Plantation Motor Hotel, owner, for a modification to zoning regulations applicable to the westerly 60 m, of lands located at No.947 Rymal Road East shown on the plan marked as APPENDIX "C" attached, on the following basis:
 - i) that notwithstanding the provision of the "HH" (Restricted Community Shopping and Commercial) District as contained in Section 14A(1)(d) of By-law No.6593, a high-speed mechanical car wash and a manual, mechanical and coin-operated car wash or any combination thereof up to a maximum of six (6) bays are permitted.
 - ii) that notwithstanding the provisions of Section 4(3)(a), the proposed commercial uses may be established on the same lot as an existing motor hotel.
 - iii) that the amending By-law be added to Section 19(b) of the Zoning By-law as Schedule S-754, and that the subject land on Zoning District

Map E-49D, be noted S-754.

- iv) that the City Solicitor be directed to prepare a By-law to amend Zoning By-law No.6593 and Zoning District Map E-49D and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- v) that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- vi) that as a condition of the rezoning, the applicant deed to the Region, lands required for a 3.048 m (10 ft.) road widening along Rymal Road East.

EXPLANATORY NOTE:

The purpose of the By-law is to modify the "HH" (Restricted Community Shopping and Commercial) District provisions applicable to the subject lands to permit a high-speed mechanical car wash and a manual, mechanical or coin-operated car wash having a maximum of six (6) bays together with a self-serve gas bar on the same lot as an existing motor hotel.

This By-law applies to the westerly 60.0 m portion of the lands located at No.947 Rymal Road East.

- 4. (a) That approval be given to Official Plan Amendment No.362 to establish a change in land use designation from "Residential" to "Commercial" of lands on the east side of Hess Street North between Barton Street West and Windsor Street, and that the City Solicitor be directed to prepare a by-law to adopt this Official Plan Amendment for submission to the Ministry of Housing; and
- (b) That approval be given to Zoning Application 81-05 The Barn Fruit Market 426989 Ontario Incorporated, owner, to establish a change in zoning and modifications to the zoning regulations with respect to property located at Nos.204 to 214 Hess Street North, shown on the plan marked as APPENDIX "D" attached, on the following basis:
 - i) that the subject lands be rezoned from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "G-3" (Public Parking Lots) District; and
 - ii) that the "G-3" District provisions as contained in Section 13C of By-law No.6593 applicable to the subject lands be modified to include the following restrictions:
 - a) that access to the site be limited to the Hess Street North frontage at a location satisfactory to the Traffic Department,
 - b) that a 1.5 m (4.92') wide planting strip containing a closed board fence and appropriate plantings be provided along the northerly and easterly property lines, and that a 1.5 m (4.92') wide planting strip containing only appropriate plantings be provided along the southerly property line adjacent to Windsor Street.

- c) that bumper or wheel barriers to prevent the physical encroachment of vehicles beyond the parking area except at the entrance to and exit from the parking area be provided.
- iii) that the amending by-law be added to Section 19B of the Zoning By-law as Schedule S-755, and that the subject land on Zoning District Map W-3 be notated S-755;
- iv) that the City Solicitor be directed to prepare a by-law to amend Zoning By-law No.6593 and Zoning District Map W-3 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- v) that the proposed change in zoning will be conformity with the Official Plan for the Hamilton Planning Area, with the approval of Official Plan Amendment No.362.

EXPLANATORY NOTE:

The by-law will provide for a change in zoning of lands located on the east side of Hess Street North, between Barton Street West and Windsor Street, as shown on Zoning District Map W-3, from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "G-3" (Public Parking Lots) District, to permit the establishment of a parking lot to be used in conjunction with a commercial use located at 221 Hess Street North.

- 5. (a) That approval be given to Official Plan Amendment No.365 to establish a change in land use designation from "Residential" to "Commercial" of lands located at the south-west corner of Upper Gage Avenue and Stone Church Road and that the City Solicitor be directed to prepare a by-law to adopt this Official Plan Amendment for submission to the Ministry of Housing;
- (b) That Zoning Application 80-89, Maria Cantelmi and Lena Frederico, owners, requesting a change in the zoning of lands located at the south-west corner of Upper Gage Avenue and Stone Church Road, shown as Block 1 on the plan marked APPENDIX "E" attached, be approved on the following basis:
 - i) that Block 1 be rezoned from Lmr-1" (Planned Development - Multiple Residential) District to "H" (Community Shopping and Commercial) District,
 - ii) that the "H" (Community Shopping and Commercial) District regulations applicable to Block 1 be modified to include the following restrictions:
 - a) that notwithstanding Section 14(1) of By-law No.6593, the lands will be restricted in use to a combined gas bar and retail variety store and accessory uses only;
 - b) that the development on the site be subject to the provisions of Site Plan Control, By-law 79-275;
 - c) that the Eleanor Neighbourhood Plan be amended accordingly;

- d) that the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-751, and that the subject land of Zoning District Map E-38C be noted S-751;
- e) that the City Solicitor be directed to prepare a By-law to amend Zoning By-law No.6593 and Zoning District Map E-38C, and to amend Site Plan Control By-law 79-275, and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk; and
- f) that the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area, with the approval of Official Plan Amendment No.365.

(c) That the request for a zoning change from "Lmr-1" (Planned Development - Multiple Residential) District to "DE-2" (Multiple Dwellings) District for Block 2, as shown on the plan marked as APPENDIX "E" attached, be refused on the basis:

- i) that the apartment development is unsatisfactory from the standpoint of inadequate lot area,
- ii) inadequate amenity space (usable open space), and
- iii) relationship of the building to proposed single family housing to the west.

EXPLANATORY NOTE:

The by-law will provide for a change of zoning of lands located at the south-west corner of Upper Gage Avenue and Stone Church Road as shown on Zoning District Map E-3 C, from "Lmr-1" (Planned Development - Multiple Residential) District to "H" (Community Shopping and Commercial) District, to permit the establishment of a retail variety store and gas bar.

- 6. That Zoning Application 81-12, Barbara B. Pinto, prospective owner, requesting a modification to the established "C" (Urban Protected Residential - Single Family Dwellings, etc.) District, to permit, in addition to a residence, a medical doctor's office at No.481 West 5th Street, be refused on the basis that it is considered that the request to modify the established "C" zoning regulations would be inappropriate in this residential area.
- 7. That a one year extension of draft approval, for Application SA 76-29, Parente Construction, Owner, relating to lands located south of Stone Church Road and east of Upper Wentworth Street, be recommended to the Region.
- 8. That a six month extension of draft approval, for Application SA 74-31, Chedoke Ravine Estates, relating to lands located north of Scenic Drive and west of Garth Street be recommended to the Ministry of Housing.

9. (a) That a one year extension of draft approval for Application SA 76-28, Vin-Ton Contracting, owner, relating to lands located on the east side of Upper Wentworth Street and north of Stone Church Road, be recommended to the Region.
- (b) That item 13.a) of the 14th Report of the Planning and Development Committee to City Council, April 25, 1978, be revised by the addition of the following condition:

"13) That the owner install a suitable fence along the rear of lots 19 to 29, to the satisfaction of the City of Hamilton."

10. That approval be given to City Initiative 81-M, to amend Zoning By-law No.6593 with respect to the numbering of certain clauses in Section 13B ("G-2" Districts) as follows:

i) That subsection (1) of section 13B ("G-2" Districts) of By-law No.6593 be appropriately amended in order to distinguish between the three clauses numbered as (ii).

ii) That the City Solicitor be directed to prepare a By-law accordingly.

EXPLANATORY NOTE:

The purpose of the by-law will be to provide for an amendment to Zoning By-law No.6593, so as to correct the numbering of three clauses as set out under subsection (1) of section 13B ("G-2" Districts).

11. That items 5 and 6 of the Seventh Report of the Planning and Development Committee, adopted by City Council at its meeting held February 12, 1980, regarding dedication of a 0.305 metre reserve and acceptance of a cash-in-lieu of 5% parkland dedication for Mentino Estates - Phase Two Final Plan, be rescinded, and

That the Corporation of the City of Hamilton accept the following lands:

0.305 metre reserve, Block 9, Mentino Estates Phase Two Final Plan of Subdivision

Grantor: Adisco Limited

That the Corporation of the City of Hamilton accept the sum of \$6,900.00 as a cash payment in lieu of 5% parkland dedication in connection with "Mentino Estates - Phase Two" Final Plan of Subdivision.

12. That the property located at No.217 King Street East be exempted from the setback By-laws 75-61 and 76-175 as per a Board of Control directive of January 17, 1980 for the purpose of erecting a projecting wall sign having an area of 54 square feet and a fascia sign having an area of 160 square feet which will be mounted flush with the face of the building.

13. That Building Code By-law 76-119 be amended, specifically subsection 2(1) of the By-law to delete the clause specifying a class of permits for one and two family buildings. Schedule "A" of the By-law should also be amended. Sentence 1 should read, "permit for the construction of a building or part thereof". The remainder of the sentence to be deleted.

The purpose of these two amendments is to clarify the original intent of the By-law.

14. Whereas, the Ontario Building Code was recently amended, specifically Clause 2.9.2. of the regulations,

and whereas, it is desirable to control the construction of farm buildings by requiring a building permit,

Now, Therefore, it is recommended that Clause 2(1)1. of By-law 76-119 be amended to designate a class of permits for farm buildings, thereby requiring a permit for their construction.

15. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:-

952 King Street East
49 East Avenue North
433 Kenilworth Avenue North

15 Lagoon
22 Renfrew
417 Beach Boulevard

16. At its meeting held January 27, 1981, City Council, in adopting Item 4 of the Sixth Report of the Planning and Development Committee, granted permission to the Dundas Valley School of Art to use the land at the north-east corner of King Street West and Bay Street North for a Carnival from May 13, 1981 to May 24, 1981.

It is respectfully recommended that City Council approve the action of the Planning and Development Committee in permitting the Dundas Valley School of Art to use the City owned land at the south-west corner of York and Bay Streets (Block 101) for the period from May 12, 1981 to May 25, 1981 for the parking of trailers, trucks and other equipment which are necessary to the operation of the Carnival. This authorization was subject to the same terms and conditions which govern the use of the City owned land at Bay and King Streets, more particularly regarding the condition of the site, the clean up of the site after use, and the deposit of \$1,000.00 for clean up purposes if required.

17. (a) that the City sell Part 1, Plan 62R-1626 and the westerly half of Westminster Avenue to Bono General Construction Limited for the sum of \$1.00 plus \$200.00 for legal fees payable to the City of Hamilton, required to facilitate the final registration of the Chedoke Ravine Estate, Plan of Subdivision;

(b) that as these documents and recommendation to purchase from the estate of Allan Vernon Young, and the sale to Bono General Construction Ltd. actually replace an Option to Purchase and Offer to Purchase documents previously approved by City Council, the said resolution, being Item 11 of the 38th Report of the Board of Control adopted by City Council on August 26, 1980, be rescinded.

18. Approval of the list of applicants submitted herewith and authorization for the Department of Community Development to process grants and/or loans in an amount not to exceed \$7,500.00 with the actual amount of grant or loan to be determined by inspection of the property under the Property Standards By-law 74-74 and pursuant to By-law 78-113.

That the officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Hamilton Rehabilitation Programme:

- | | |
|---|---|
| 1. L. Salvi
274 Sherman Avenue South | 2. J. Jongeling
211 East 18th Street . |
|---|---|

19. Approval of the list of applicants submitted herewith and authorization for the Department of Community Development to process grants and/or loans in an amount not to exceed \$7,500.00 with the actual amount of grant or loan to be determined by inspection of the property under the Property Standards By-law 74-74 and pursuant to the Housing Development Act Regulation 688/74.

That the officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme:

- | | | |
|--|--|---------------------------------------|
| 1. M. Bennett
53 Belmont Avenue | 7. A. Spuhl
394 Whitney Avenue | 13. R. Proctor
99 Shadyside Ave. |
| 2. A. Brindle
177 East 24th Street | 8. H. Hatch
261 Fairfield Ave. N. | 14. M. Love
95 Westminster Ave. |
| 3. A. Mills
240 Wexford Ave. S. | 9. S. Fletcher
185 East 19th Street | 15. Mrs. J. Steyk
10 Ipswich Place |
| 4. C. Battey
166 Rifle Range Road | 10. M. Puiu
262 MacNab St. North | 16. A. Saunders
167 Markland St. |
| 5. C. Stevens
98 Queensdale Ave. E. | 11. H. Bartmann
74 Newton Avenue | 17. C. Devine
134 Glencarry Ave. |
| 6. H. Laking
14 Benson Avenue | 12. M. Hallas
239 Paling Avenue | 18. D. Haslip
187 Rodgers Rd. |

20. That additional funding in the amount of \$100,000.00 be provided for loans to rehabilitate residential housing units under the Hamilton Rehabilitation Programme (H.A.R.P.) and that the Finance Committee be requested to recommend the method of financing this expenditure.

21. That \$6,000.00 be allocated from the appropriate Neighbourhood Improvement Programme (N.I.P.) account to finance all expenses to be incurred for the official opening of Powell Park.

This expenditure will be recovered through the sale of various items, e.g. food, T-shirts, etc.

22. Acceptance of an offer to purchase from Augusto Giannattasio for the purchase from the City of part of Lot 8, Concession 7, Township of Barton, now in the City of Hamilton in the Regional Municipality of Hamilton-Wentworth, having a frontage along the southern limit of Limeridge Road East of 4' by a depth of 250', for the sum of \$1.00. The sale of these lands will allow the City to collect the cost of services within a proposed new roadway.

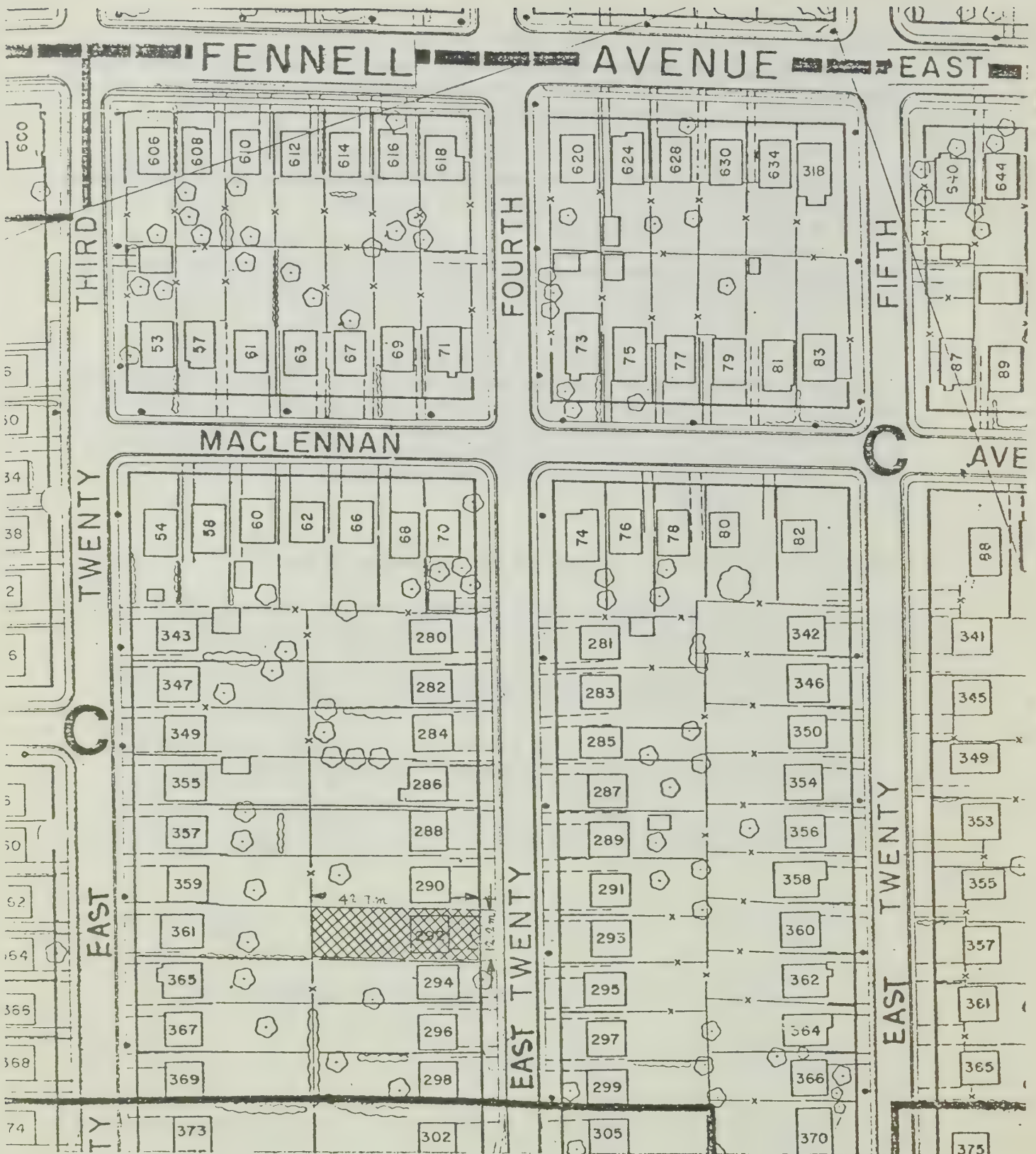
23. That leave be granted to introduce the following Bills:-

- (a) Bill D-75 - By-law to authorize Demolition and Clearing of Buildings, Structures, Debris or Refuse at Municipal No.42 Evans Street
- (b) Bill D-76 - By-law to amend Zoning By-law No.6593 respecting land located at Municipal Nos.675 and 695 Rymal Road East
- (c) Bill D-77 - By-law to amend Zoning By-law No.6593 respecting land located at Municipal No.1132 Upper Wellington Street

Respectfully submitted,

JDT:bg
May 20, 1981

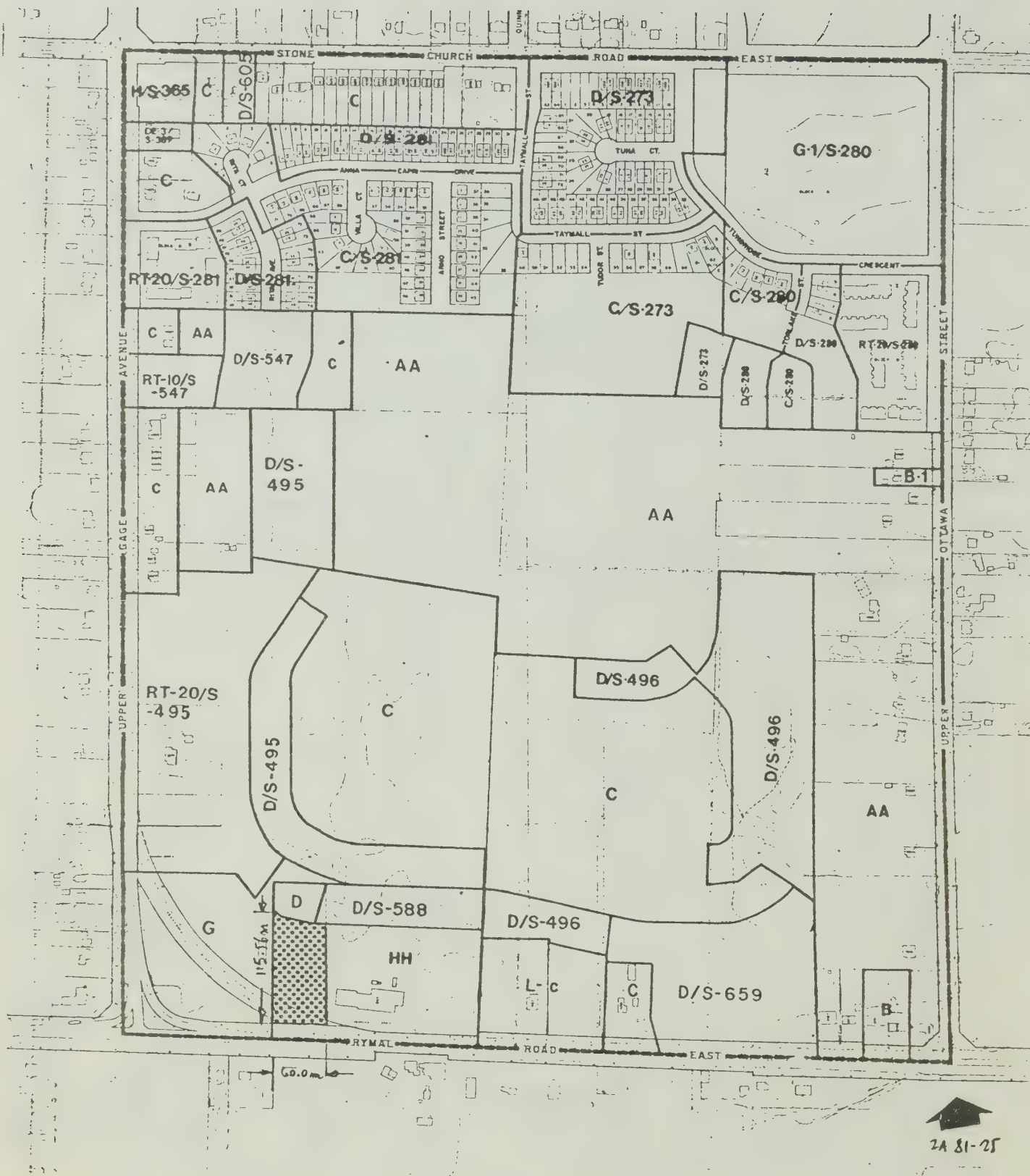
Alderman P. J. Peterson, Vice Chairman
Planning and Development Committee



LEGEND



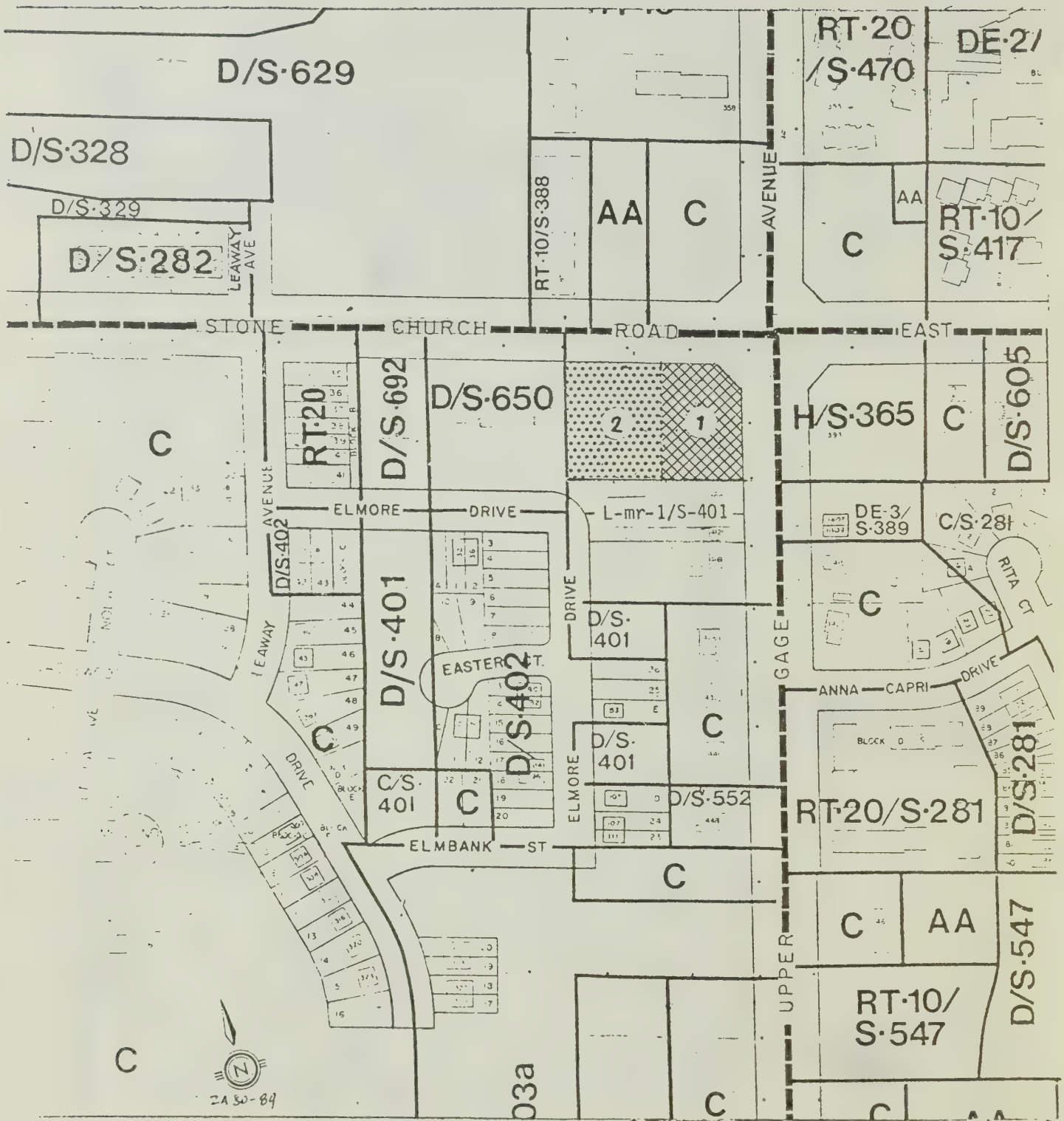
Change in zoning from "C" (Urban Protected Residential, etc.) District to "C" - Modified to permit hairdressing on the premises.



LEGEND



Site of proposed self-serve gas bar, automatic car wash and self serve car wash.



LEGEND

Lands for which a change in zoning from "L-mr-1" (Planned Development - Multiple Residential) District to the following zoning is proposed:



Block 1

"H" (Community Shopping and Commercial, etc.) District.



Block 2

"DE-2" (Multiple Dwellings) District.

APPENDIX

E

D-14

APPENDIX

E

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its ELEVENTH Report and respectfully recommends:

REAL ESTATE

1. That the Regional Municipality of Hamilton-Wentworth have the right to purchase the soil and freehold of that portion of Glover Mountain Road lying between the western limit of the road allowance between Lots 26 and 27 and the south eastern municipal limits for a period of 90 days commencing on City Council's approval of a by-law, to stop, close up, and sell the said road allowance.

2. That the agreement by Mr. Albert Andrews to accept compensation from the City of Hamilton for all interests in the real property known as 47 Lancaster Street being composed of Lot 68 in the Brightside Survey, Registered Plan 453, having a frontage along the western limit of Lancaster Street of 25 feet, more or less (7.62m), by a depth of 121 feet, 6 inches, more or less (36m), together with building erected thereon bearing municipal number 47 Lancaster Street, be completed.

Note: This property was expropriated by the City for Burlington Street Road Widening on February 22, 1968.

3. That Council approve the Execution of Surrender by the present owner of the lease for rear land at 28 Freeland Court, containing 1,240 square feet, and execution of a new annual lease with Joseph Talaga, the purchaser of 28 Freeland Court, commencing May 1, 1981, providing both Surrender and new lease by their terms are conditional upon the sale of the property to Joseph Talaga on or before May 30, 1981.

Note: On April 24, 1979, in adopting Item 4 of the 24th Report of the Board of Control, City Council approved the leasing to Samuel Ravida a portion of City owned lands in the rear of No. 28 Freeland Court, being part of Parcel "A", Plan 918 and part of the unopened road allowance known as Macklin Street North, containing approximately 1,240 square feet on a year-to-year basis, subject to the pleasure of City Council at a yearly rental of \$10.00 plus realty tax, the subject lease to restrict the use of the land for landscaping purposes only.

We have been advised that Mr. Ravida has sold his property to Joseph Talaga.

4. That the leasing of 1075 Upper James Street to Diane Leighton and Carl Hlusiak at a monthly rental of \$225.00 (including taxes) commencing May 1, 1981 be approved and that the Mayor and City Clerk be authorized to execute the Tenancy Agreement.

Note: The City owned property was purchased for the proposed East-West Mountain Freeway. The tenancy is to commence May 1, 1981, the monthly rent (including taxes) will be \$225.00 and the agreement is subject to two months' notice by either party.

5. That the leasing of 1728 King Street East to Edward and Annette Brillinger at a monthly rental of \$375.00 (including realty taxes) commencing April 28, 1981 be approved and that the Mayor and City Clerk be authorized to execute the Tenancy Agreement.

Note: The tenancy is to commence April 28, 1981 at a one time rental charge of \$200.00. This is a reduced rate due to the cleaning and decorating required and which has been agreed to be carried out by the tenant. Commencing June 1, 1981 the monthly rent (including taxes) will be \$375.00. The agreement is subject to two month's notice by either party.

TRAFFIC

6. That Schedule 10 (Stops at Intersections) of By-law 66-100 To Regulate Traffic be further amended by adding thereto the following items, namely:

"Greendale	Westbound	Cranbrook
Merchison	Eastbound	Division."

7. That Schedule 25B (Parking Time Limits) be amended by adding thereto the following section, namely:

"2. Two Hour Limit, between the hours of 8 o'clock in the forenoon and 8 o'clock in the following forenoon (24 hrs.), on the following streets and parts of streets, excepting such parts of same where parking or stopping is prohibited.

<u>STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
Lottridge	West	Barton to Princess."

8. That Schedule 26 (No Parking Areas) be amended by deleting from Section A (No Parking Anytime) the following items, namely:

"Garth	Both	Limeridge to Stonechurch
Garth	East	Stonechurch to southerly end
Garth	West	Stonechurch to 347 ft. south."

9. and by adding thereto the following item, namely:

"Garth Both Limeridge to Rymal."

10. That City Council adopt the design criteria appended hereto, for driveway approaches to one, two and three-family dwellings.

11. That City Council approve the report of the Hamilton-Wentworth Regional Police Department, and that a School Traffic Officer be assigned, on a temporary basis until the end of June 1981, to the intersection of Upper Ottawa and Tenth Avenue.

12. That City Council approve the report of the Hamilton-Wentworth Regional Police Department, and that a School Traffic Officer not be assigned to the intersection of Aberdeen Avenue and Dundurn Street.

13. That the application of Pavle Zivkovich to lease a portion of the boulevard of Lincoln Street, adjacent to No. 975 Barton Street East for parking purposes be approved during the pleasure of City Council provided:

- i) That the owner complies with the requirements as set out in the policy respecting using a portion of the road allowance for parking purposes.
- ii) That the approach and parking area be constructed in accordance with the submitted plan at the owner's expense.
- iii) That the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- iv) That the applicant pay the annual fee as established by City Council plus taxes, in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.

14. That the application of Amcan Castings to lease a portion of the boulevard of Hillyard Street and Brant Street, adjacent to No. 10 Hillyard Street for parking purposes be approved during the pleasure of City Council provided:

- i) That the owner complies with the requirements as set out in the policy respecting using a portion of the road allowance for parking purposes.
- ii) That the approach and parking area be constructed in accordance with the submitted plan at the owner's expense.
- iii) That the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

15. That the application of Cannon Knitting Mills to lease a portion of the boulevard of Mary Street adjacent to No. 134 Mary Street North for parking purposes be approved during the pleasure of City Council provided:

- i) That the owner complies with the requirements as set out in the policy respecting using a portion of the road allowance for parking purposes.
- ii) That the approach and parking area be constructed in accordance with the submitted plan at the owner's expense.
- iii) That the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- iv) That the applicant pay the annual fee as established by City Council plus taxes, in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.

REGIONAL ENGINEERING

16. Whereas City Council at its meeting held July 26, 1979 adopted a recommendation of the Planning and Development Committee that a Subdivision Agreement be entered into between the City and Ideal Furniture as owner of the proposed Subdivision and whereas the development of this property does not require the installation of curbs, sidewalks or finished roads as these services have been previously financed by the City and will be constructed by an abutting developer, it is recommended that:

- i) The submitted schedules for the estimated cost of services be approved for inclusion of the proposed Subdivision Agreement.
- ii) The approval of the above clause be subject to the condition that work not be commenced until the final survey plan and the Subdivision Agreement have both been registered.
- iii) In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for pre-servicing.

Note: The cost for completion of seeding the untravelled portion of the allowance and the charge for planting of street trees will be borne entirely by the owner at an estimated cost of \$2,498.00.

17. Whereas an outside solicitor, acting for a purchaser of certain lots in the Rexford Gardens, Phase 1 Subdivison, made a request that the City make an application to the Land-Titles Authorities, to have the easement registered as Instrument No. 80803 L.T. removed from the title to the lands, and whereas the Subdivider has graded the lands in this Subdivision according to the Subdivison Agreement, it is recommended that the City, through the City Solicitor, make an application to the Land Titles Authorities to have this easement, dated 78 10 25 and registered as Instrument No. 80803 L.T. on 79 02 08, removed from the title to the lands.

18. That the application of Ennis and Tick, Solicitors acting on behalf of the owners of 311 Hess Street South, to permit the encroachment of an existing garage on 311 Hess Street South onto the road allowance of Hess Street South by a maximum of 0.61 m (2.0 feet) for an approximate distance of 5.88 m (19.30 feet), be approved during the pleasure of Council provided:

- i) That the owner enter into an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- ii) That an annual fee of \$10 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this Resolution, in addition to the \$25 annual fee to be charged to the owners for encroachment insurance.

Note: The City's policy is that if an existing building or a proposed non-building encroachment does not impede the function within the road allowance, then the encroachment may be approved by Council, subject to an agreement and an annual fee.

The application was reviewed and no objection was found.

19. That the application of Borkovich, Ingrassia & Borkovich, Solicitors for the owners of 77 Tom Street, to permit an encroachment of an existing porch onto the road allowance of Tom Street by a maximum of 1.19 m (3.9 feet) for an approximate distance of 1.92 m (6.3 feet) be approved during the pleasure of Council provided:

- i) That the owner enter into an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- ii) That an annual fee of \$10 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution, in addition to the \$25 annual fee to be charged the owners for encroachment insurance.

20. That the application of Michael P. D. Morgan, Solicitor for the owners of 276 East Avenue North, to permit an encroachment of two (2) existing porch pillars onto the road allowance of East Avenue by a maximum of 0.3 m (1.0 foot) for an approximate distance of 0.3 m (1.0 foot) be approved during the pleasure of Council provided:

- i) That the owner enter into an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- ii) That an annual fee of \$10 be set for this privilege which fee shall be due and payable to the Corporation 30 days from the date of this resolution, in addition to the \$25 annual fee to be charged the owners for encroachment insurance.

21. Whereas a request was received from the Hamilton Downtown Y.M.C.A. to close portions of James Street and Hughson Street to hold a Runalong Event on Saturday, 81 05 02, it is recommended that the action of the Commissioner of Engineering in authorizing the said application to hold a Runalong Event on Jackson Street on Saturday, 81 05 02 from 9:00 a.m. to 12:00 p.m. be confirmed at this time by Council.

22. Whereas a petition was received from the owners of the property abutting Block "N", Plan M-93 and other residents in the area to have a sidewalk constructed on Block "N" from Brendan Court northerly to the Board of Education lands, it is recommended:

- i) That the City acquire from the Region Block "N", Plan M-93 at an estimated cost of \$2000.
- ii) That the City Solicitor be directed to prepare and submit to Council a by-law under Section 443 (1) of The Municipal Act to establish Block "N" as a public highway and to designate all of the said highway as a footpath under Section 453 (4).
- iii) That prior to passage of the by-law, the City Solicitor make application to the Minister of Housing for approval of the by-law under Section 450 (2) as amended of The Municipal Act, advising the Minister that the Corporation will be responsible for all construction costs involved and that there is no M.T.C. subsidy.
- iv) That the Director of Public Works be directed and authorized to construct a 1.5 m wide sidewalk on Block "N" upon passage of the by-law, at an estimated cost of \$4500.
- v) That the total cost of \$6500 be financed from Account #0280-12.

23. Whereas an application from Mr. B. Smith, owner of 46 East Bend Avenue North, was received to close a portion of the adjoining public unassumed alley, south of Highland Avenue from East Bend Avenue North to 18.2 m easterly, and whereas existing encroachments on the portion of the alley to remain open would restrict access to the alley but removal of the encroachments by the City would amount to an assumption of the alley for use by the public and would leave the City liable for maintenance, it is recommended:

- i) That the application to close a portion of the alley be denied pending action of the following recommendation.
- ii) That the City Solicitor be requested to pursue the possibility of amending the existing legislation to permit the Municipality to remove encroachments without such removal amounting to an assumption of the alley by the City.
- iii) That \$150 be returned to the applicant according to the policy with respect to applications for closing.

24. Whereas a request was received from Mrs. J. Turnbull of 29 Spruceside Avenue for permission to temporarily close Spruceside Avenue between Aberdeen Avenue and Glenfern Avenue to hold a street dance on Saturday, 81 06 20, and whereas it has been Council's practice to approve such requests provided there is no cost to the City as a result and the events are under supervision of Regional Police, it is recommended that Spruceside Avenue between Aberdeen Avenue and Glenfern Avenue be closed between the hours of 6:00 p.m. and 11:00 p.m. on Saturday, 81 06 20, in order that the applicant Mrs. J. Turnbull, may hold a street dance, provided:

- i) That all signing and barricading will be subject to the direction of the Regional Police Department and at no cost to the City.
- ii) That clean-up will be carried out immediately following the reopening of the City street, at no cost to the City.
- iii) That adequate public liability insurance be provided to save the City harmless from all actions, interests, claims, demands, costs, damages, expenses and loss.

25. That the application of Steve Rallis, Proprietor of 20 Augusta Street, to utilize 21.36 m (230 square feet) of the boulevard on Augusta Street for the purpose of an outdoor patio, said area to extend 8.00 m (26.25 feet) for a maximum depth of 2.67 m (8.77 feet), be approved during the pleasure of Council provided:

- i) That the owners prepare an Indemnification Agreement, satisfactory to the City Solicitor, and the Regional Commissioner of Engineering, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

- ii) That an annual fee of \$394.80, which has been recommended by the Real Estate Department, plus applicable taxes be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution, in addition to the \$25 annual fee to be charged to the owner for encroachment insurance, satisfactory to the City Solicitor.

Note: The present policy of the City is that, if utilization of the boulevard for an outdoor patio does not impede or restrict the safe operation of pedestrian and vehicular traffic, then Council may approve that an agreement be entered into, subject to specified conditions and an annual fee.

The application was reviewed and no objection was found.

26. Whereas the City has received applications from Mr. Grant Head and Mrs. Clara Milligan for fence encroachment agreements at 190 and 194 Caroline Street South respectively, and whereas the Municipal Act does not currently provide specifically for the granting of fence encroachments on the road allowance, it is recommended:

- i) That the City Solicitor's Department be directed to petition the Minister of Housing and Municipal Affairs to amend the Municipal Act to permit fence encroachments on the road allowance.
- ii) That the City amend the existing Streets By-law no. 9329 to permit fence encroachments on the road allowance pursuant to the aforementioned amendment to the Municipal Act.
- iii) That the applicants take out interim insurance policies in the amount of One Million Dollars (1 000 000) satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

27. Whereas it is expedient that certain works be undertaken, it is recommended:

- i) That the report of the Commissioner of Engineering and the City Treasurer appended hereto recommending the construction of a finished roadway and independent concrete curbs as local improvements on the initiative pursuant to Section 12 of The Local Improvement Act be adopted.
- ii) That the City Clerk and City Treasurer be directed to give the necessary notice of the Council's intention to undertake these works.

- iii) That the City Solicitor be directed to make application to the Ontario Municipal Board for approval of the described undertaking pursuant to Section 64 of The Ontario Municipal Board Act if no petition has been filed or an insufficient petition has been filed against the work as set forth in Section 12 of The Local Improvement Act.

PURCHASING

28. That the recommendation of the Director of Purchasing respecting the following be approved:

- i) Gammatronix Inc. - For the supply and delivery of 4 - Two Phase, 1 - Four Phase Traffic Controllers, 1 Co-ordination Unit and 1 Circuit Board Tester, in accordance with specifications issued by the Director of Purchases and Vendor's Tender for the total sum of \$42,345.00 (Canadian Funds) Ontario Sales Tax Exempt.

Note: Lowest acceptable tender.

- ii) Turf Care Products Ltd. - 1 - 7 Gang 5 Blade Pull Mower - \$12,951.00 Ontario Retail Sales Tax Extra 7%

Note: Only acceptable quotation.

- iii) Eastgate Ford Sales & Service - 3 - 10,000 lbs. G.V.W. Ford F350 Truck Chassis complete with Low Platform Stake Dump Bodies, in accordance with specifications issued by the Director of Purchases and Vendor's Tender for the total sum of \$29,500.55.

Note: Lowest of 6 tenders.

- iv) Mohawk Ford Sales & Service - Four 24,000 Lbs. G.V.W. Ford F700 Truck Chassis complete with Steel Dump Bodies in accordance with specifications issued by the Director of Purchases and Vendor's Tender for the sum of \$65,363.00.

Note: Lowest of 5 tenders.

BY-LAWS

That leave be granted to introduce the following bills:

29.

- (a) Bill No. E51 - By-law to authorize:

- (i) The construction of Local Improvements on an Alleyway in the block bounded by Gage Avenue North, Avondale Street, Beechwood Avenue, Barton Street East and other streets.

- (ii) The special assessment to pay a portion of the cost, upon petition made under Section 11 of The Local Improvement Act.
- (iii) The preparation of plans, specifications and reports and the supervision of the construction by the Regional Commissioner of Engineering.
- (b) Bill No. E52 - By-law to close and sell portions of West Park Avenue.
- (c) Bill No. E53 - By-law to Amend By-law No. 66-100 To Regulate Traffic.
- (d) Bill No. E54 - By-law to Amend By-law No. 66-100 To Regulate Traffic.

Respectfully Submitted,

Alderman F. A. Lombardo, Chairman

R.C. Prowse, Secretary
May 20, 1981
Attachments

REPORT ON LOCAL IMPROVEMENTS

To the Chairman and Members of the Transport and Environment Committee

Members of the Committee:

The following works are recommended to be undertaken as Local Improvements under "The Local Improvement Act".

Name of Street upon which work is to be Constructed	Between the following Streets or Points	Project Number	Estimated Lifetime of Work in Years	Estimated Gross Cost of Work	Share or Portion of Cost which should be Borne by the Lands Abutting directly on the Work to be Debentured	Share or Portion Borne by the Corporation	Reduction Which Ought to be Made under Section 28 of the Act	Aggregate Amount of such Reduction	Estimated Cost Per Metre to be Rated
7.3 m (24') wide Finished Roadway and Independent Concrete Curbs, (Section 12 L.I.A.) (Referred to in Section 27)									
north side only, Birge Street from Wellington Street to Emerald Street									
Estimated Subsidy: \$ 60,000									
Estimated Net City's Share: \$87,855 to be financed from the 1981 Capital Levy									
		802-40H 20		\$185,000	\$37,145	\$147,855	123.65 m	\$7,109.88	Finished Roadway
									\$57.50
									Concrete Curbs
									\$17.00

- Estimated cost per metre increased by approx. 120% if debentured over 15 years.

DATED at Hamilton this day of

A.D., 19

W. H. McFarland

Treasurer and Commissioner of Finance.

J. R. G. Leach

Commissioner of Engineering

REPORT OF THE PERSONNEL COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its EIGHTH Report for 1981 and respectfully recommends:

1. Approval of the action of the Personnel Committee in awarding the following purchases:

a) CANADIAN MOTOROLA LTD., Stoney Creek, Ontario.

1 Mitrek Mobile Radio, 2 Electronic Sirens, 2 MT500 Portable Radios
1 Pager, 1 Mitrek Base Station including control modules
..... \$14,517.17
All charges included.

Note: Only supplier.

b) SAFETY SUPPLY CANADA, Toronto, Ontario.

Supply & installation of 30 Scott Presure Pak IIA and related
accessories \$58,590.99
Plus \$35.00 Per Hour for Installation

Federal & Ontario Retail Sales Taxes Exempt.

Note: Only supplier.

2. That two Hamilton Fire Department personnel be permitted to travel to Scott Aviation in Lancaster, New York for training and certification on conversion and repair of self-contained breathing apparatus and that the hotel accommodation, meals and transportation costs (estimated to be \$350.00) be charged to account 0341-0235 Repairs and Maintenance - Breathing Apparatus. There is no cost for the actual training by Scott Aviation personnel.
3. That the construction of a fire station in the east Mountain area - Birchmount Road and Stone Church East, be approved, and that the Finance Committee be requested to recommend the method of financing.
4. Approval of the revision of the following hourly rates to conform with the Minimum Wage Act:

Rink Patrol (Checker) & Monitor/Starter (Golf Course) be paid in
accordance with the minimum wage,
\$3.30 per hour effective March 31, 1981,
\$3.50 per hour effective October 1, 1981,
and that the,

Red Cross Instructor & Lifeguard III be paid,
\$3.80 per hour effective March 31, 1981
\$4.00 per hour effective October 1, 1981.

5. Approval of the renaming of the position currently known as Assistant Director - Streets and Sanitation, Salary Schedule 119 to Director of Street Operations, Department of Public Works, Salary Schedule G (Department Heads and Deputies), \$29,188.64 to \$34,808.28 per annum and that the present incumbent, Mr. B. A. Court, be paid the first step in Salary Schedule G, \$29,188.64 per annum effective May 18, 1981.

RESPECTFULLY SUBMITTED,

ALDERMAN P. DRAGE,
CHAIRMAN
PERSONNEL COMMITTEE

G. W. McMillan,
Secretary,
May 20, 1981

2nd FL

MEETING OF CITY COUNCIL

June 23, 1981

A G E N D A

- A Finance Committee
- B Legislation Committee
- C Parks and Recreation Committee
- D Planning and Development Committee
- E Transport and Environment Committee
- F Personnel Committee
- J By-laws

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:-

The Finance Committee presents its FOURTEENTH Report and respectfully recommends:-

1. Section 10 of the Sixteenth Report of the Parks and Recreation Committee makes reference to the City of Hamilton funding 25% of the cost of a feasibility study up to a maximum of \$5,000.00 to examine the appropriateness of the Bank of Montreal building on James Street South and the Old Main Library building on Main Street West to house the Arturo Toscanini collection. The Finance Committee recommends that Section 10 of the Sixteenth Report of the Parks and Recreation Committee be tabled until the next meeting of City Council scheduled for July 28, 1981. The Finance Committee intends to convene a special meeting of the Finance Committee prior to the July 28, 1981 meeting of City Council to consider all options respecting the future use of the Library property.
2. City Council, at its meeting held April 14, 1981, in adopting Section 12 of the Tenth Report of the Finance Committee, approved of a municipal contribution of \$420,420.00 to the Hamilton Society for the Prevention of Cruelty to Animals for the year 1981. As the result of representation made to the Finance Committee by the H.S.P.C.A. it is recommended that the municipal appropriation for the contribution be increased by an additional \$20,000.00 with this amount to be financed by a transfer from the Contingency Account. These additional funds are not to be paid until it has been determined that they will actually be required.

Note: It is anticipated that these additional funds will permit the Society to intensify its efforts in the collection of dog licence fees and the additional expenditure may be fully recovered in additional revenue.

3. That the Property Maintenance Superintendent be authorized to upgrade the electrical distribution system of the Traffic Operations building at 32 Lincoln Street in accordance with the provisions of the Occupational Health and Safety Act for the sum of \$1,636.81 and that this expenditure be financed by a transfer from the Contingency Account and credited to Account No. 0328-1160.
4. Approval of the sale of part of Lot 4, Nathaniel Hughson Survey, measuring 52 feet by 105 feet with the exact area to be determined by a survey to George Controneo for the sum of \$4,000.00. Cash deposit \$400.00. Offer to be accepted on or before July 3, 1981. Balance on closing of sale which shall be on or before September 9, 1981. It is understood and agreed the City of Hamilton will retain a 1 foot strip of land between the said parcel and the northerly limit of Part 6, extending a distance of 105 feet (more or less) and the closing of this transaction is conditional upon the purchaser being the registered owner of the land situated between the subject parcel and Catharine Street. This condition is for the benefit of the City only and only the City may waive this condition. This property was acquired by the City in the 1937 tax sale and is surplus to municipal requirements.

5. Approval of the awarding of the following contract:-

(a) IBM CANADA LTD., Hamilton, Ontario.

Monthly availability charges Unit Record, Data Preparation, Computer System and related peripheral devices for the months of April to August, 1981, inclusive.....\$400,000.00

6. That the sum of \$6,130.00 be transferred from the Contingency Account and credited to the Salary Account of the City Clerk's Department to finance the employment of one (1) Ontario Municipal Training Programme Trainee for six (6) months of 1981 and that provision be made in the City of Hamilton 1982 Current Estimates to employ this trainee for twelve (12) months in 1982.

Members of City Council are advised that the Province of Ontario will subsidize this employment for a two year period up to a maximum of \$6,000.00 for the first year and up to a maximum of \$4,000.00 for the second year. It is recommended that the City Treasurer be authorized and directed to apply for this subsidy.

7. City Council, at its meeting held May 12, 1981, in adopting Section 7 of the Eleventh Report of the Parks and Recreation Committee, approved of the Managing Director, Hamilton Historical Board being authorized to participate in the Experience '81 Programme to provide summer staff at the Children's Museum.

The Finance Committee recommends that the City's share of participation in this programme involving an expenditure of \$1,970.00 be financed by a transfer from the Contingency Account.

8. Section 1 of the Fourteenth Report of the Parks and Recreation Committee makes reference to the installation of a roadway, landscaping and appropriate base for a Cross of Sacrifice in Eastlawn Cemetery at a total estimated cost of \$8,570.00. The Finance Committee recommends that this expenditure be financed by a transfer of \$8,570.00 from the Contingency Account and credited to Eastlawn Cemetery Account No. 0356-17.
9. Section 2 of the Sixteenth Report of the Parks and Recreation Committee makes reference to major renovations being carried out at the Coronation Rink/Pool Unit at an estimated cost of \$648,000.00.

The Finance Committee recommends that the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for approval of this project at a total estimated cost of \$648,000.00 and for authority to finance the net balance of \$573,000.00 after the deduction of the Provincial subsidy by the issuance of debentures for a term not to exceed twenty years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth for consent to issue debentures in an amount of \$573,000.00 for a term not to exceed twenty years.

10. Section 5 of the Fourteenth Report of the Parks and Recreation Committee makes reference to improvements to the Dundurn Castle Parking facilities at an estimated cost of \$46,000.00. The Finance Committee recommends that this expenditure be financed from the Reserve for Capital Projects.

11. That the City Treasurer be authorized to utilize the sum of \$14,800.00 provided in Account No. 0323-1585 of the Treasury Department 1981 Budget Estimates to offset the charge levied by Management Science America for the City's share of the annual maintenance agreement for the computer programmes acquired from this firm.

Note: In 1979 the City and Region jointly acquired computer programmes from MSA. Under the terms of the agreement between the City and the Region the City is responsible for 50% of the annual maintenance charges levied by MSA.

12. Approval of the recommendation of the Depreciation Committee that Fire Department Vehicle No. 1614 be retained for use at the new Fire Station being constructed on the East Mountain at Birchmount Road and Stone Church Road with the estimated cost to retrofit this vehicle being \$30,000.00. The estimated cost of \$30,000.00 to retrofit this vehicle to be financed from the Reserve for Depreciation of Mobile Equipment, Account No. 0280-01.
13. That the 1981 Estimates of the Hamilton-Wentworth Regional Health Unit (Dental Services) be increased by \$64,710.00 from the approved figure of \$163,590.00 to \$228,300.00 with this increase to be financed by a transfer from the Contingency Account.

Note: The existing appropriation of \$163,590.00 was established in the 1981 Estimates based on a takeover of this service by the Regional Municipality of Hamilton-Wentworth as of September 1, 1981. Regional Council, on May 19, 1981, agreed to assume this responsibility but not until January 1, 1982, hence the additional funds are required for the four (4) month period from September 1st to December 31st, 1981.

14. That the Regional Municipality of Hamilton-Wentworth be requested to prepare three (3) borrowing by-laws in the total amount of \$944,177.93 and appropriate debentures, all of which require the validation of the Ontario Municipal Board, with both to be effective from July 1, 1981 for a fifteen year period, on behalf of the Corporation of the City of Hamilton to complete the total borrowing in accordance with three (3) separate borrowing agreements between Canada Mortgage and Housing Corporation (C.M.H.C.) and the Corporation of the City of Hamilton executed prior to the formation of the Regional Municipality of Hamilton-Wentworth as follows:-

<u>URBAN RENEWAL AREA</u>	<u>TERM</u>	<u>INTEREST RATE</u>	<u>AMOUNT OF BORROWING</u>	<u>TOTAL</u>
Lloyd D. Jackson Square	15	7-7/8%	\$543,582.85	
York Street	15	7-3/4%	81,535.63	
North End	15	5-3/4%	<u>319,059.45</u>	<u>\$944,177.93</u>

Note: In view of the fact that these three (3) Urban Renewal Agreements may be wound up and eliminated in the near future and because of continuing high interest rates the City Treasurer has initiated borrowing to the maximum within these agreements as previously authorized by City Council and the Ontario Municipal Board to take advantage of the very low interest rates being charged.

15. That the amount of \$60,500.00 be provided in the appropriate departmental O.H.I.P. Estimates resulting from increased O.H.I.P. premium rates announced by the Province of Ontario and that these funds be provided from the Contingency Account.
16. That the City Garage be integrated with the Treasury Department to formalize what has been an informal arrangement for the past few years and that the City Treasurer be requested to undertake the necessary re-organizational changes to accomplish this integration.
17. City Council, at its meeting held June 16, 1981, in adopting Sections 1 and 2 of the Eleventh Report of the Legislation Committee, approved of the installation of a new telecommunications system and the appointment of Telcost Limited as consultants for this project.

The Finance Committee recommends:-

- (a) That the cost to install a new telecommunications system in the City Hall, not to exceed \$400,000.00, to be fully integrated with the system to be installed by the Regional Municipality of Hamilton-Wentworth, be financed from accounts to be determined on a priority basis, by the Capital Budget Committee.
- (b) That the cost of hiring the consulting firm of Telcost Limited, \$18,500.00, who have been appointed to determine needs, evaluate and advise in the selection of a telecommunications system to be fully integrated with the Regional telecommunications system, be financed from the 1981 Contingency Account and an estimate established in Account No. 0378-3656.

RESPECTFULLY SUBMITTED,

ALDERMAN P. O. VALERIANO,
CHAIRMAN.

R. M. Collier, Secretary.
June 18, 1981.

REPORT OF THE LEGISLATION COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its TWELFTH Report and respectfully recommends:

GRANTS AND CIVIC HOSPITALITY

1. That a grant in the amount of \$500.00 be made to the St. Anthony's Feast Committee to assist in defraying expenses in connection with the St. Anthony Folkloristic Feast held on Sunday, June 14, 1981.
2. That a grant in the amount of \$888.71 be made to Drum Corp International Canada to assist in defraying expenses in connection with the Third Annual Drum Corp International Competition to be held at Ivor Wynne Stadium on Sunday, August 14, 1981. Anticipated attendance, 3000 participants.
3. That a grant in the amount of \$467.50 be made to Mohawk College of Applied Arts and Technology to provide a civic luncheon and a bus tour of Hamilton for 50 participants involved in a Hamilton/Shawinigan Exchange.
4. That a grant in the amount of \$1,250.00 be made to the Ontario Provincial Open Karate Championship and the Canadian National Competition to be held in the City of Hamilton in February or March of 1982, to assist in defraying expenses in connection with this championship. Estimated attendance, 1000 competitors and 2000 visitors.

CIVIC AWARDS

5. That civic awards be made to the following:
 - (a) Members of the Hamilton Transway Bantam Girls Basketball Team who brought honours to the City of Hamilton in 1981 by winning Provincial and National Championships.

RESOLUTIONS

6. That the following resolutions be endorsed.
 - (a) Town of Aylmer

"Be it resolved by the Council of the Corporation of the Town of Aylmer, that strong representation be made to the Government of the Province of Ontario, objecting to wage settlements recently reported with respect to O.P.P. and Provincial employees:

 - (a) manner of secrecy which they were held prior to the election;
 - (b) amounts in excess of the guidelines for all municipal, civic and government employees, for the following reasons:

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1. violates all attempts at bargaining in good faith at the local level, as settlements are, in most cases, far above local urban centre's ability to pay;
2. destroys confidence on the part of both management and unions in real power of local government to self-determine effectively;
3. persuades local officials that the process of arbitration can best make our decisions for us, leaving the provincially appointed arbitrators totally in control;
4. in the case of small Town Police Forces, such action ascertains that the Attorney-General indeed, intends to take over control of all policing in Ontario, by forcing us out of business with wage settlements beyond our abilities.

Be it further resolved, that this resolution be circulated to all municipalities for support, to the Association of Municipalities of Ontario, for presentation at their annual conference and to the Police Governing Authorities for endorsement and support, and

That copies of this resolution go individually to M.P.P. Ron McNeil; Premier of Ontario William Davis; Minister of Labour R. Elgie; and Attorney-General Roy McMurtry, along with a firm request for further funding of per capita grants for Police and increased unconditional grants enabling smaller municipalities to survive a wage administration cost which is substantially above the ability of the taxpayer to handle on a local basis."

(b) City of Kitchener

"That the Ministry of Transportation and Communications be requested to revise its vehicle rates to better reflect current operating costs.

And further, that this resolution be circulated to all Ontario Municipalities."

(c) City of Hamilton

"WHEREAS both the Federal and Provincial Governments are urging all cities to conserve energy in industry, in business and in the home; and

WHEREAS programs encouraging energy conservation have been limited by the size of the grants available under different programs and to different classifications of buildings and types of energy use; and

WHEREAS it is desirable to encourage more investment both by business, industry and the individual home owner; and

WHEREAS energy conservation is an urgent matter;

THEREFORE BE IT RESOLVED that the Corporation of the City of Hamilton urge both the Ontario Government and the Federal Government to encourage investment in all forms of energy conservation by appropriate legislation to provide income tax credits for such qualified investments and further that this resolution be circulated to all Ontario municipalities of over 20,000 population requesting that they endorse same and forward their resolve to the Government of Ontario and Government of Canada."

(d) City of North Bay

"That whereas the Council of the City of North Bay is concerned that the current high prime interest rate is causing people to lose their homes and their businesses;

And Whereas the Governor of the Bank of Canada and the Federal Minister of Finance do not appear to be taking any steps to reduce the current high prime interest rates;

Now, therefore, this Council on behalf of the citizens of North Bay petitions the Government of Canada, the local Member of Parliament, the Governor of the Bank of Canada and the Minister of Finance to take immediate steps to reduce the present high prime interest rate;

And that a copy of this resolution be circulated to the Councils of all municipalities in Ontario having a population of more than 50,000 persons and to FONOM, the AMO and the Federation of Canadian Municipalities with a request for their support for a reduction of interest rates."

(e) Town of Tecumseh

"WHEREAS the residents of the Province of Ontario are burdened with soaring inflation and high interest rates on loans and mortgages;

AND WHEREAS the employment situation in the Province is presently unstable with vast layoffs in the automotive, construction and other related fields;

AND FURTHER that these factors are contributing to the bankruptcy of small businessmen, the loss of cars and homes, and the destruction of many families;

NOW THEREFORE BE IT RESOLVED that the Council of the Town of Tecumseh hereby petitions the Federal Government to take immediate steps to lower interest rates being charged on loans and mortgages, and to implement controls to combat inflation;

AND FURTHER that this resolution be circulated to all municipalities in the Province of Ontario and to the Association of Municipalities of Ontario requesting their endorsement."

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7. That no action be taken on the following resolution.

(a) City of Kingston

"WHEREAS the City of Kingston became the first seat of Government of Canada in 1841; and

WHEREAS Sir John A. Macdonald became Canada's first Prime Minister; and

WHEREAS Sir John A. Macdonald practised law in the City of Kingston and was a resident of the City of Kingston when he became Canada's first Prime Minister; and

WHEREAS Sir John A. Macdonald is buried on the periphery of the City of Kingston in Cataraqui Cemetery; and

WHEREAS the above clauses establish historical facts of immeasurable significance to the citizens of Kingston and to all citizens of this nation; and

WHEREAS holidays of national significance enhance and strengthen the threads of cultural diversities which bind this nation together; and

WHEREAS a non-partisan connotation with respect to the celebration per se is desirable; and

WHEREAS acceptance of this resolution by all levels of governments will preserve the integrity of the celebration for generations to come; and

WHEREAS the City of Kingston, by virtue of its historical contribution to this nation, should demonstrate initiative in this matter; and

WHEREAS the senior level of government has expressed a desire to have a holiday in the winter months which would have historical significance;

THEREFORE BE IT RESOLVED that the City of Kingston proclaim the third Monday in February of each and every year as a civic holiday for the purpose of honouring Kingston's most notable former citizen and Canada's first Prime Minister Sir John Alexander Macdonald;

AND BE IT RESOLVED that the City of Kingston petition the Federal Government of Canada for purposes of declaring the third Monday in February as Sir John A. Macdonald Day, a national holiday;

AND BE IT FURTHER RESOLVED that the Federal Government be requested to acknowledge the unique heritage role that Kingston has played in the conception and development of this nation, and that this acknowledgement by the Federal Government come in the form of participation in the cost shared organization and enactment of the celebration activities;

AND BE IT FURTHER RESOLVED that a community committee be struck which would include members of Council for the sole purpose of planning and overseeing the celebration festivities and that such a committee be accountable for the expenditure of funds contributed from individuals, businesses, industries and participating levels of government;

AND FURTHER that this proclamation be circulated to all member municipalities of the Association of Municipalities of Ontario and to member municipalities of similar provincial associations, with a request to endorse the concept of a National Holiday and to encourage their participation in the celebration of a date honouring Sir John A. Macdonald Day."

8. CITY HALL FACILITIES

- (a) That the South Korean Association of Hamilton be permitted to fly the South Korean Flag on City Hall on August 15, 1981 in commemoration of their National Independence Day.
- (b) That the telephones in Committee rooms 233 and 264 and the telephone in the City Hall Cafeteria be programmed by the Bell Telephone Company in such a way so as it would be impossible for telephone calls external to the City Hall telephone system to be transmitted from these areas, and further that locking devices be purchased for the four (4) telephones on the desks of the Secretary's to the Aldermen so these telephones can be locked at the end of each day.

Note: For the information of the members of City Council, this action is necessary to reduce the number of unauthorized long distance telephone calls which are believed to originate from the above telephones. These telephones and especially the one in the cafeteria are very accessible to the general public and staff and do not come under the close scrutiny as other telephones within the City Hall.

LEGISLATION

- 9. That the legislature of the Province of Ontario be requested to amend Section 2(1)(c) of the Municipal Elderly Residents Assistance Act respecting senior citizens tax rebates so as to provide that senior citizens would qualify for the tax rebate if they have been assessed as an owner or the spouse of an owner of real property in a Municipality for at least five (5) of the ten (10) years immediately preceeding the year in which the application for the tax credit is made.

Note: For the information of the members of City Council, this amendment is desirable so as to enable those senior citizens who have been long time residents of the City of Hamilton and who may for a brief period of time sell their home and move to an apartment or move out of Hamilton and then repurchase a home in Hamilton to qualify for the tax rebate, instead of having to begin their qualification period all over again because the current legislation requires that they be the owner of property in the City of Hamilton for the five (5) years immediately preceeding the date of application.

OTHER

10. That the Hamilton Board of Education and the Hamilton-Wentworth Regional Police Department be invited to have non-voting representatives on the Transport and Environment Committee to maintain the liaison which has existed for many years.
11. That no action be taken on a letter from the Township of Georgian Bay requesting the City of Hamilton to pass a resolution urging the Province of Ontario to not permit the construction of two (2) or more Hydro Generating Stations on the Musquash River and Go Home Lake by the Orillia Water, Light and Power Corporation.
12. That no action be taken on the request of the Institute of Edible Oil Foods that Hamilton City Council pass a resolution urging the Province of Ontario to pass an amendment to the Ontario Oleomargarine Act, removing restrictions on the colour in which Oleomargarine may be made and consumed in Ontario.
13. That no action be taken at this time on a letter from the City of North York requesting the City of Hamilton to consider passing a By-law to prohibit the keeping of certain kinds of animals in the City.

Note: For the information of the members of City Council, the Hamilton Society for the Prevention of Cruelty to Animals is currently studying the legislation pertaining to animals in the City of Hamilton and will be submitting recommendations for legislative changes to the Legislation Committee in the near future.

14. That leave be granted to introduce the following bills:

Bill B-26 - By-law to regulate the Hamilton Market.

Bill B-27 - By-law to confirm proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully submitted,

Alderman J. MacDonald, Chairman

S.G. Hollowell, Secretary
June 19, 1981
SGH/sma

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its FOURTEENTH Report for 1981 and respectfully recommends:

1. (a) That the Director of Cemeteries be authorized and directed to proceed with the installation of a roadway, landscaping and appropriate base for a Cross of Sacrifice in Eastlawn Cemetery at a total estimated cost of \$8,570.00.
- (b) That the Finance Committee be requested to recommend the method of financing this expenditure.

NOTE: The Cross of Sacrifice has been purchased by the United Council of Veterans' and it is hoped that this installation will be completed in time for the 1981 Eastlawn Decoration Day, on August 23rd, 1981.

2. That the Corporation of the City of Hamilton execute an Agreement of Right-of-Way with the Union Gas Limited for land described as Part 1, Reference Plan 62R-5677, having a total area of 64 square metres, for the sum of \$475.00.

NOTE: In 1980, Union Gas Limited inadvertently installed a pipeline on city park land for service to a private developer on abutting land in the area of Mohawk Road West and Upper Horning Road. Execution of this agreement will resolve an unauthorized encroachment on city park land.

3. That the contract between the city and Mr. R. Goodes, Pro-Manager, Chedoke Civic Golf Course and Winter Sports Park which expired March 31st, 1981 be renewed, under the same terms and conditions, for a further period of one (1) year, and terminating on March 31st, 1982.
4. That the contract between the city and Mr. D. Shock, Pro-Manager, King's Forest Golf Course and Winter Sports Park, which expired on March 31st, 1981 be renewed, under the same terms and conditions, for a further period of one (1) year and terminating on March 31st, 1982.
5. (a) That the improvements to the Dundurn Castle parking facilities, estimated to cost \$46,000.00 as provided for by item 31520 in the 1981 portion of the 1981 - 1985 Capital Budget Programme, be proceeded with.
- (b) That the Finance Committee be requested to recommend the method of financing the costs of this project.

5. (Cont'd) NOTE: For the information of the members of City Council the improvements included provision for a new entrance to the parking lot, approximately 50 additional parking spaces, revised visitor reception facilities and an asphalt walkway from Dundurn Castle to the Military Museum.
6. Approval of the following Change Orders totalling \$26,862.81 to a contract previously awarded by City Council.

- Martin-Stewart Contracting Limited - Re: Norman "Pinky" Lewis
Recreation Centre

Change Order # 5 - Increase of foundation depth,
south-east corner of pool.
Two smaller doors in lieu of
one large, connection to the
existing H.C.I. gym \$ 3,474.00 EXTRA

Change Order # 6 - Concrete Block Masonry and
Plaster, in lieu of studding
& drywall specified for
filling-in existing H.C.I.
windows at abutment of the
Recreation Centre 4,688.00 EXTRA

Change Order # 7 - Change to pumps/aerator fans
and safety features, (electrical
short detection), therapeutic
(hot) pool 1,560.00 EXTRA

Change Order # 9 - Change to specified wall railings
for handicapped and additional
railings. Painting of walls and
ceiling to the ramp to the
existing H.C.I. gym 4,086.00 EXTRA

Change Order #10 - Change to specified chemical
feeder-pumps and tanks; change
of the specified galvanized piping
for chlorine lines to plastic;
provision of water lines to
vending machines and for future
outdoor drinking fountain 8,493.00 EXTRA

Change Order #11 - Wood encasement to exposed piping
& conduits in the ramp-way to
H.C.I. gym 971.00 EXTRA

6. (Cont'd)

Change Order #12 - Change to the specified chlorine injection assembly	210.00 EXTRA
Change Order #13 - Additional signage requested by the Department of Health	73.00 EXTRA
Change Order #14 - Additional door kick-plates; additional (safety) switch to chlorine room ventilation; cost of signs, in excess of the allowance provided for same in the contract	2,074.00 EXTRA
Change Order #15 - Finalization of costs versus respective contract allowances, (Bookkeeping Technicality)	1,233.81 EXTRA
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TOTAL	<hr/> \$26,862.81 EXTRA <hr/>

7. That the park site in the block bounded by Victoria Avenue North, Wilson Street, East Avenue North and King William Street, be officially named the JACK C. BEEMER PARK.

NOTE: The naming of this park is in accordance with the guidelines established by City Council in June 1980 relative to the official naming of park and recreational facilities.

For the information of the members of City Council, Mr. Beemer served on various committees and boards of the City of Hamilton dating as far back as the 1930's. Some of these boards and committees are:

- The Hamilton Playground Commission
- The Hamilton Cemetery Board
- The Board of Park Management
- The Parks Subcommittee
- The Parks and Recreation Citizens Advisory Committee

Respectfully submitted,

ALDERMAN K. M. EDGE, CHAIRMAN
PARKS AND RECREATION COMMITTEE

J. J. Schatz, Secretary
May 28th, 1981

REPORT OF THE PARKS AND RECREATION COMMITTEE

To The Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its SIXTEENTH Report for 1981 and respectfully recommends:

1. In accordance with the authorization of City Council, it is a pleasure to report on behalf of the sub-committee our observations and recommendations resulting from our visits to six different municipalities. You will recall the IBI Report submitted proposals on various sized facilities such as 6,400, 9,400, 15,300 and 18,000 seating capacities. The reports from Mr. McFarland, dated April 23rd and 29th, 1981, set forth the estimated cost to build either one of these facilities under alternative proposals.

Our tour commenced with a visit to Cornwall which indicated that if a facility to accommodate approximately 4,000 persons was not adequate for the City of Cornwall; a 6,400 seat facility would certainly not be adequate for a City the size of Hamilton.

Our next two visits to Quebec City and Winnipeg clearly illustrated the problems of building a small facility and then attempting to expand it at a later date. Both facilities expanded from approximately 10,000 to 15,000 seats and encountered considerable difficulties in the redesign of the building. While each of these buildings served their purpose, both of them could have been much more functional had the full 15,000 seat complex been constructed at one time, as they encountered problems with the seating, concession layout and washroom facilities.

With our visits to Edmonton, Denver and Atlanta we were able to compare new facilities with each indicating some advantages and disadvantages of their design. The Edmonton complex was a circular design with oval seating which provided adequate seating but placed a limitation on the concession and storage facilities.

In Denver the building was of an oval design which provided the best seating arrangement, oval shaped, and concession facilities, but again lacked adequate storage facilities. This building was, however, constructed by a unique design allowing for an upper tier of seats to overlap the lower tier and utilize predesigned forms for the concrete supports which lowered the overall construction cost.

In Atlanta we saw a building constructed in the downtown core on a site somewhat comparable to the one being contemplated here in Hamilton. The building itself was of a square design which was constructed at a moderate cost and provided adequate storage and concession space, but the square seating arrangement did not provide seating as good as in the oval design of Denver.

As stated earlier, of the three facilities in Edmonton, Denver and Atlanta, all had certain advantages and disadvantages. The Architect who designed the arena in Denver showed us a design he had developed for Winnipeg which had certain unique features which took advantage of all three facilities.

The lower portion was to of a rectangular shape, which could be constructed on our proposed building site and provide adequate storage, concession and washroom facilities, with the upper portion of the building an oval design to allow for what was, in our opinion, the best seating arrangement. Because of the cost feature, Winnipeg decided to expand their present facility rather than build a new facility.

For the information of City Council, we have the names of the Architects involved in the three projects; namely, Edmonton, Denver and Atlanta, all of whom indicate interest in designing a facility for our use. With reference to the Atlanta facility which is privately owned, it is constructed in the downtown core on a site similar to ours and does not have an N.H.L. franchise, and yet makes a larger profit than the other facilities. The Manager of this facility indicated interest in serving in a consulting capacity for the construction of our facility.

For the information of the members of City Council, it became readily apparent that the major sources of revenue were advertising within the building, the sale of private boxes and owner operation of the concessions.

For the further information of the members of City Council, our findings indicate that this facility can be constructed for somewhat less than \$42.7 million as indicated in the IBI Report, however, in view of the fact that no technical data is available to substantiate these findings, the Committee is recommending that Council proceed on the basis of the maximum estimated costs available of \$42.7 million.

Rather than attempt to answer each question, in written form, that the members of Council may have, we are attaching, as Schedule "A", a detailed statement prepared by the staff members in which you will note the six facilities visited are listed across the top, together with comparative questions on the left-hand side of the statement which allows, hopefully, for a ready comparison of each facility.

While it can not be proven at this time that a facility constructed in the City of Hamilton will be financially viable, from the information provided us during the course of this tour and based on the financial forecast contained in the IBI Report, and as summarized in the Treasurer's reports of April 23 and April 29, 1981, the committee is of the opinion that such a facility, properly managed, could be financially viable.

The committee, therefore, recommends the following:

RECOMMENDATIONS:

- (A) That City Council approve the construction of a Trade Centre/Arena Complex with a seating capacity of approximately 18,000 seats and can be constructed on our present site, Phase Six, Lloyd D. Jackson Square, with the gross cost not to exceed 42.7 million dollars and the method of financing the project be in accordance with the Report of the City Treasurer dated April 23, 1981, and as outlined on Statements 8 and 9 which were based on the information contained in the IBI Report.

The gross cost to be subject to Council adjustment upon receipt of the report referred to in subsection (iii) of section (D) of this report.

Note: Attached as Schedule "B" is a copy of the City Treasurer's report dated April 23, 1981.

- (B) That City Council appoint members to the Independent Foundation for the purpose of soliciting financial contributions towards the construction of the facility, from the public, as authorized by City Council on March 10, 1981 with the adoption of Section 1 of the Sixth Report of the Parks and Recreation Committee. Three members of City Council to be appointed to the Foundation.
- (C) That the Mayor, together with representatives of City Council, approach the senior levels of Government to discuss further contributions from the Provincial and Federal Governments.
- (D) That City Council authorize the sub-committee to:
- (i) discuss with industrial and commercial organizations the possibility of financial assistance in the Complex, either by participation in the construction cost or financial contributions for concessions and advertising privileges.
 - (ii) prepare a space and facility report to outline the various components to be included in the building.
 - (iii) bring forth a recommendation as to the procedure to be followed for the appointment of architects and/or consultants to prepare a preliminary design and cost estimates.

Note: The composition of the sub-committee is:

Elected Members

Alderman K. Edge, Chairman
Alderman J. Bethune
Alderman D. Gray

Technical Members

Mr. W. H. McFarland
Mr. W. L. Phillips
Miss A. M. Schimmel
Mr. J. J. Schatz, Secretary

- (E) That the priority for the year of commencement and the proposed method of financing for any project contained in the 1981-1985 Capital Budget will not be changed in order to give preference to the Trade Centre/ Arena Complex.
2. (a) That the Coronation Rink/Pool Unit Major Renovation Project, as provided for in the 1981 portion of the 1981-1985 Capital Budget Programme, be proceeded with at an estimated cost of \$648,000.00.
- (b) That the Finance Committee be requested to recommend the method of financing the costs of this project.
3. That the firm of William L. Sears and Associates Limited, Consulting Professional Engineers, 455 Seaman Street, Stoney Creek, Ontario, be appointed as the consultants to carry out the work as outlined in the Terms of Reference Proposal Call, to prepare detailed plans, and specifications and supervise the development of the Central Neighbourhood Park, at a cost not to exceed \$30,000.00.
4. That, subject to the following, permission be granted to the Hamilton Junior Chamber of Commerce to park automobiles on the city-owned land adjacent to Scott Park High School, at all home games of the Hamilton Tiger Cat Football Club and any other major events conducted at Ivor Wynne Stadium during 1981.
- (a) That a form of agreement satisfactory to the Director of Culture and Recreation be entered into between the Corporation of the City of Hamilton and the Hamilton Junior Chamber of Commerce respecting their use of these lands.
- (b) That the Hamilton Junior Chamber of Commerce pay a fee of \$1,000.00 to the City of Hamilton, for this privilege.
5. That subject to terms and conditions satisfactory to the Director of Culture and Recreation, Mrs. Carrie Boswell be granted permission to hold a Muscular Dystrophy Dance-A-Thon in Dundurn Park between the hours of 6:00 p.m. Saturday, August 29 and 6:00 p.m. Sunday, August 30, 1981.
6. That the contract for the supply and installation of playground equipment, W. H. Ballard Playground, be awarded to Ressco Recreation Inc., Mississauga, Ontario, at a cost of \$13,050.00.

Note: Lowest acceptable tender received.

7. That section 6 of the Fifth Report of the Parks and Recreation Committee adopted by City Council on February 24th, 1981, authorizing the Karate Tournament in the Ivor Wynne Stadium on July 18th, be amended to allow the rental fee of \$5,000.00 to be paid seven days in advance of the performance, rather than 30 days in advance as stipulated in the

Operational Regulations Schedule "A".

8. (a) Adoption of a policy whereby citizens are recognized for their contribution to the community life of the City of Hamilton while serving as a member of a civic committee, board or commission.
- (b) That the recognition be in the form of a certificate or letter of appreciation from the Council of the Corporation of the City of Hamilton, signed by the Mayor and the City Clerk and affixed with the seal of the Corporation.
- (c) Such recognition to be made on the following occasions:
- (i) When a committee with citizen members completes its assignment and the committee is disbanded.
 - (ii) When a citizen member terminates his or her membership on a committee, board or commission.
 - (iii) When a citizen ceases to be a member of a committee, board or commission to which he or she has been appointed by City Council or a committee of council.
- (d) That such recognition be made as soon as possible at a meeting of City Council or where a special event is organized by the city, such as the official opening of a recreation centre, civic building or project which the citizen member has been involved in.
9. That reduced ticket prices for the Military Museum be made available to individuals who purchase tickets for admission to Dundurn Castle.

The price schedule to be as follows:

	Regular Price	Reduced Price	Reduction
Adult	\$1.00	.75	25%
Seniors	.75	.50	33%
Students	.50	.75	33%
Children	.35	.50	30%

10.(a) That the City of Hamilton fund 25% of the cost of a feasibility study, up to a maximum of \$5,000.00 to examine the appropriateness of the Bank of Montreal Building on James Street South and the Carnegie Building on Main Street West (former Library Building) to house the Arturo Toscanini Collection.

(b) That the Finance Committee be requested to recommend the method of financing this expenditure.

11.(a) That the Corporation of the City of Hamilton, as expropriating authority, apply to the Council of the Corporation of the City Hamilton as approving authority for approval to expropriate the following land for redevelopment as a park:

Firstly, 80 Victoria Avenue North, which is particularly described and shown on survey 62R-4959 prepared by the City Surveyor as Part 2; and,

Secondly, 300 Wilson Street, a vacant lot which is particularly described and shown on survey 62R-4130 prepared by the City Surveyor as Part 8.

(b) That the City Clerk be authorized and directed to:

(i) give Notice of the City's application to all owners, registered owners and tenants (as defined in The Expropriations Act), of the said lands; and,

(ii) advertise Notice of the City's application in a newspaper as required by The Expropriations Act; and,

(iii) sign and receive the said application for approval to expropriate.

12. Approval of the following purchases:

(a) Parks Division - Department of Public Works

TURF CARE PRODUCTS LTD., Markham, Ontario

Supply and delivery of One (1) Toro Golf Course Tractor, in accordance with specifications issued by the Director of Purchases and Vendor's Tender for the sum of \$29,960.00 All charges included.

Note: Lowest acceptable tender.

(b) Parks Division - Department of Public Works

LORD & BURNHAM CO. LTD., St. Catharines, Ontario

Renovations to Greenhouse at Gage Park \$10,274.00
Ontario Sales Tax Exempt.

Note: Only acceptable supplier.

Respectfully submitted

ALDERMAN K. M. EDGE, CHAIRMAN
PARKS AND RECREATION COMMITTEE

J. J. Schatz, Secretary
June 11th, 1981

attchms.

CITY OF HAMILTON

TRADE CENTRE/ARENA PROJECT

STATISTICAL ANALYSIS OF OTHER TRADE CENTRE/ARENAS

	CORNWALL ONT.	QUEBEC CITY QUEBEC	WINNIPEG MAN.	EDMONTON ALTA.	DENVER COL.	ATLANTA GEO.	HAMILTON	COMMENTS
A GENERAL								
Name of Facility	Cornwall Civic Centre	Quebec Coliseum	Winnipeg Arena	Northland Coliseum	McNichols Arena	Omni		
Population	48,000	177,000			500,000±	500,000	306,640	
Market Area	120,000	560,000	600,000±	600,000	1,600,000	1,370,000		
Location of Facility								
(a) Neighbourhood	Waterfront Park	Comm./Ind.	Commercial	Comm./Ind.	Industrial	Comm./Ind.	Comm.	
(b) Section City	Downtown	Outlying	Outlying	Outlying	Outlying	Downtown	Downtown	
Date Constructed	1978	1950	1955	1974	1974	1972		
Date of Expansion		1980	1980	1980				
Site Dimensions	Large	Large (Exhibition Park)	454'x474' (Polo Park)	Large (Exhibition Park)	Large		485.42' x 350.90' x 481.14' x 367.60'	
Area of Site			4.95 acres			5 acres	3.987 acres	
Ownership of Site	City	City	City	City	City	Private	City	
Ownership of Facility	City	City	City	City	City	Private	City	
Size of Ice Surface	200'x85'	200'x85'	200'x85'	200'x85' (30m.x60m.)	200'x85' (30m.x60m.)	200'x85'	200' x 85'	
Area of Exhibit Space (Sq.Ft.)	27,000			85,000	30,000	25,000	60,000 (min.)	

- 2 -

	CORNWALL ONT.	QUEBEC CITY QUEBEC	WINNIPEG MAN.	EDMONTON ALTA.	DENVER COL.	ATLANTA GEO.	HAMILTON
A GENERAL (Cont'd...)							
Shape of Building	Rectangular	Rectangular	Rectangular	Circular	Oval	Square	
Size of Building			282' x 387'	410' Diam.	300' x 400'	360' x 360'	
Type of Structure	Concrete Block/Steel	Reinforced Concrete	Reinforced Concrete	Reinforced Concrete	Reinforced Concrete	Steel	
Type of Roof Truss	Steel	Steel	Steel	Steel	Steel	Steel	
Configuration of Seating	Conv.	Conv.	Conv.	Oval	Oval	Conv. (Diagonal)	
B CAPACITY							
No. of Permanent Seats (Original)	3,991	10,000	10,000	15,200	16,200	15,200	
No. of Permanent Seats (Present)	3,991	15,004	15,177	17,300	16,200	15,200	
No. of Removable Seats	Nil		Some end Seats	3,500	8 Rows		
Total No. of Seats	3,991	15,004	15,177	17,300	16,200	15,200	
C PARKING							
No. of Spaces on Site	600	3,500	3,200	5,000	3,800	Nil	
No. of Spaces Adjacent	1,000				7,000	380	
Public Transit	Bus Route	Poor	Poor	Good (LRT)	Poor	Poor	Good

COMMENTS

- 3 -

	CORNWALL ONT.	QUEBEC CITY QUEBEC	WINNIPEG MAN.	EDMONTON ALTA.	DENVER COL.	ATLANTA GEO.	HAMILTON	COMMENTS
D FACILITIES								
Special Boxes	No	Yes (40)	Yes (14)	Yes (31) (Box)	Yes (22)	Yes (6)		
Scoreboard	Yes	Yes	Yes	Yes	(Four on Sides)	Yes		
Soccer Floor	No	Yes		Yes	Yes	Yes		
Basketball Floor	Yes	Yes			Yes	Yes		
Press Box	Yes	Yes	Yes	Yes	No			
Press Room	No	Yes	Yes	Yes	Yes	Yes		
Type of Lighting	Mercury Vapour	Mercury Vapour	Mercury Vapour	Mercury Halide	Mercury Vapour	Mercury Vapour Incandescent		
Type of Boards	Wood	Wood	Wood	Wood/Plastic	Plastic	Wood		
Type of Glass (Above Boards)	Glass	Glass	Glass	Glass	Plexiglass	Glass		
Office Space								
Hockey (Sq.Ft.)		4,000	Yes	Yes	4,000	4,000		
Basketball (Sq.Ft.)					4,000	4,000		
Concessions (No.)		Yes (9)	Yes (Var.)	Yes (16)	Yes (8)	Yes (4 Major)		
Truck Access to Ice Area	Yes	Yes	Yes	Yes	Yes	Yes		
No. of Accesses	1	1	1	1	1	5		
Location								
		End	End	End	End	End & Corners		
Restaurant	Yes	Yes	Coffee Shop	Yes		Yes (2 Clubs)		

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D FACILITIES (CONT'D....)

	CORNWALL ONT.	QUEBEC CITY QUEBEC	WINNIPEG MAN.	EDMONTON ALTA.	DENVER COL.	ATLANTA GEO.	HAMILTON	COMMENTS
Air-Conditioned	Yes	Yes	Yes	Yes	Yes	Yes		
TV Facilities	Yes	Yes	Yes	Yes	Yes	Yes		
Staff Room						Yes		
First Aid Room	Yes	Yes	Yes	Yes	Yes	Yes		
VIP Room	Yes	Yes			Yes	Yes		
Elevators - Escalators		Both	Elevators (2)		Yes	Freight (2)		
Money Room						Yes		

E COST

Cost of Construction (Original)	\$7,500,000		\$1,800,000	\$18,000,000	\$11,400,000	\$12,000,000		
Cost of Expansion		\$22,000,000	\$8,000,000	\$ 750,000				
Permanent Staff	15				12	28		

F OPERATION

City	Yes	Yes		Yes	Yes		Yes	Present proposal indicates the City will operate the facility
Independent Corporation			Yes					
Private Ownership						Yes		

G FINANCIAL CONTRIBUTIONS

Provincial or State	Yes	Nil	Nil	Yes	Nil	Nil	4,075,000	*The City of Atlanta issued revenue bonds to be paid by developer over 30 yr. period after which the city can purchase the facility for \$1.00
Federal	Yes	Stated	Yes	30 yr. Loan	Stated	Nil	4,000,000	
City	Yes	Yes	Yes	Yes	Stated	*	Yes	

G FINANCIAL CONTRIBUTIONS
(Cont'd....)

	CORNWALL ONT.	QUEBEC CITY QUEBEC	WINNIPEG MAN.	EDMONTON ALTA.	DENVER COL.	ATLANTA GEO.	HAMILTON	COMMENTS
Payment of Property Tax								
- Yes	Yes							
- No		No	No	No	No	No	No	
Debt Charges charged to Operation								
- Yes	Yes		Yes		Yes	Yes	Yes	
- No		No	No	No				
Hockey Franchise								
- Yes	Junior A	N.H.L.	N.H.L.	N.H.L.	N.H.L.		No*	*No firm arrangements
- No								
1980 Estimated								
- Profit			1,400	200,000		1,400,000		* The City imposes a 10¢ tax on each ticket which generated \$950,000 which was used to finance debt on the stadium
- Loss	375,000	900,000			340,000*			
Concessions								
Owner or City Operated		Yes	Beer Only	Yes		Yes		All facilities indicated increased revenue if owner- operated
Leased	Yes		Other		Yes		Yes	
Beer Sold - Yes		Yes	Yes		Yes	Yes		*Have now received permission
- No	No			No*				
H Number of Days Operated	Not Stated	120	200	142	175	195	165-200*	*Not yet determined

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H-1 TYPE OF EVENTS	CORNWALL ONT.	QUEBEC CITY QUEBEC.	WINNIPEG MAN.	EDMONTON ALTA.	DENVER COL.	ATLANTA GEO.	HAMILTON	COMMENTS
	No Number Stated	No Number Stated	Attendance	No. of days Operated	No. of days Operated	No Number Stated		
Rock Concerts	Yes	Yes	80,000	19	30	Yes	Yes	
Pro Wrestling	Yes	Yes	70,000			Yes	Yes	
Exhibitions	Yes		300,000				Yes	
Hockey - N.H.L.		Yes	560,500	50	50		No	
- Junior A or Other	Yes		97,150				Yes	
Boxing - Closed Circuit		Yes	8,960			Yes	Yes	
Basketball - Professional					50	Yes		
- Harlem Globetrotters	Yes	Yes	9,000		1		Yes	
Ice Capades or shows	Yes	Yes	39,450		14	Yes	Yes	
Skating Races			2,930					
Circus - Shrine			85,290					
- Moscow			75,000					
- Chinese			80,000					
- Other	Yes	Yes		2	1	Yes	Yes	
Curling			9,500				Yes	
Canada Cup			90,000				Yes	
Rodeo				11			Yes	
Religious				12		Yes	Yes	

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H-1 TYPE OF EVENTS (Cont'd...)

	<u>CORNWALL ONT.</u>	<u>QUEBEC CITY QUEBEC</u>	<u>WINNIPEG MAN.</u>	<u>EDMONTON ALTA.</u>	<u>DENVER COL.</u>	<u>ATLANTA GEO.</u>	<u>HAMILTON</u>	<u>COMMENTS</u>
Inside Shows				13			Yes	
Move in days				16				
Move out Days				13				
Soccer					20	Yes	Yes	
Other			6,000	6	9			
TOTAL	Not Stated	120	1,513,780	142	175	195	165-200	



W.H. McFARLAND, A.P.A., R.I.A.
COMMISSIONER OF FINANCE
AND TREASURER

E.C. MATTHEWS, B.A., C.A.
DIRECTOR OF FINANCE

L.W. SELBY, B.Sc. (MATH), M.B.A.
DIRECTOR OF SYSTEMS AND
DATA PROCESSING

THE CORPORATION OF THE CITY OF HAMILTON
TREASURY

Schedule "B" - As referred to
in item 1 of the Sixteenth
Report of the Parks and Recreation
Committee.

CITY HALL
HAMILTON, ONTARIO
L8N 3T4
TEL. 527-0241

April 23, 1981

CONFIDENTIAL

Alderman K. Edge
Chairman
Hamilton Trade Centre/Arena Sub-Committee

Dear Alderman Edge

In accordance with your request, we have attempted to analyze the I.B.I. Group Report of April 10, 1981 and submit the attached statements for your consideration. I trust you will appreciate that it has been a most difficult task to determine the manner in which these statements should be presented in order to reduce the number to a manageable form, but still make them comprehensive.

As you are aware, the I.B.I. Group Report and the Hanscomb Roy Associates Report dealt with a number of variables. It first of all dealt with a facility ranging from zero seats to 18,000 seats. In addition, they considered various size facilities of 6,400, 9,400, 15,300 and 18,000 seats. Each of these assumptions were further broken down to provide a costing on an incremental base expandable and full shell base expandable, together with three alternatives where the facility could not be expanded.

Revenue projections were also contained in the Report based on the various seating arrangements. After taking into account the complexities of the Report, the following statements attempt to, hopefully, provide you with sufficient information to make a recommendation to your Committee, and eventually City Council.

Statement 1 - Summary of cost analysis as prepared by the I.B.I. Group.

Statement 2 - Summary of net revenue on the various facilities as prepared by the I.B.I. Group and based on the medium range throughout the Report, and in accordance with the amended sheet provided by the I.B.I. Group.

April 23, 1981

Alderman K. Edge
Page - 2

Statement 3 - An analysis of the revenue as prepared by the I.B.I. Group to support Statement 2 or their Exhibit 2, after taking into account the necessary amendments to the original Report.

Statement 4 - Is a copy of Page 2 of the Hanscomb Roy Associates Report to identify the exclusions from the projected revenue and expenditure estimates, together with a notation at the lower part of the page to identify those things not provided for, such as pedestrian ramps and promenade retail area estimated to a cost of \$4,000,000.

Statement 5 - Our estimate of the various revenues available from the different sources are based on certain factual information and certain assumptions provided. I believe there should be an agreement on Columns 2 to 5, inclusive. You may, however, question the assumption made in Column 6 on the amount to be raised by public subscription. Columns 8, 9 and 10 indicate the amount of debt that could be financed based on the I.B.I. Group estimates of revenues as contained in their Exhibit 2, our Statement 2, using the estimate for 1983 and 1986 operated by contract. Naturally, before any final decision is made, these projections of revenues should be confirmed to ensure that they are realistic. Columns 11, 12, and 13 provide the estimated total financing which could be available on the various decision packages.

Statement 6 - Attempts to summarize the net amount to be financed on each decision unit if it were to be expanded to 15,300 seats in 1985. Column 5 provides the increased cost to expand each decision unit to 15,300 seats in 1985. The gross cost of each decision unit is shown in Column 4. The two exceptions to these statements is section 3 for the non-expandable where you will note under 1982, the gross cost to construct 15,300 seats in 1982 is estimated at 39.9 million dollars. If you refer to Column 11, and based on the assumption that eventually we will want to expand any facility to a minimum of 15,300 seats, then it appears a decision to construct the 15,300 seat facility in 1982 becomes the most economical.

Statement 7 - Provides a proposed method of financing a 15,300 seat arena/trade centre facility in 1982. The gross cost and projected revenues are contained in Column 2. Statement 5 indicated, based on certain assumptions, that 29.6 million dollars could be financed without directly affecting the mill rate and assuming the projection of revenues, as shown on Exhibit 2 for 1986, are correct. You will recall, Statement 6, Column 11, indicated a balance of 10.3 million dollars still to be financed.

April 23, 1981

Alderman K. Edge

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Statement 7 - Continued

This statement proposes that City Council consider a special levy of one mill for the years 1982 to 1985, inclusive, and the balance be financed by the issuance of debentures to be financed from the current estimates. You will note the financial impact upon a taxpayer for a 24-year period would be approximately one mill, or \$5.00 per year on a home assessed at \$5,000.

Statements 8 and 9 - Provides you with similar estimates to Statements 6 and 7 for a 18,000 seat arena/trade centre complex. You will note again, if you refer to Column 11 of Statement 8, the most economical method of financing is to build the total project commencing in 1982 at an overall net cost based on the higher revenue assumptions.

RECOMMENDATIONS

Before any formal commitment is made by the Sub-Committee to construct the larger facility in 1982 (15,300 or 18,000 seats), the Administrative staff be authorized to:

- (A) Ensure the revenue projections contained in the I.B.I. Report are realistic, and
- (B) That the projected construction costs in the I.B.I. Report are realistic.

Yours very truly



W. H. McFarland
Treasurer and Commissioner of Finance

WHM:kah

Encls.

EXHIBIT 1
HAMILTON TRADE CENTRE/ARENA
SUMMARY OF COSTS

STATEMENT 1

(in \$000's)

DESCRIPTION	INCREMENTAL FACILITY		FULL SHELL	
EXPANDABLE FACILITY	Expandable to 15,000 seats	Expandable to 18,000 seats	Expandable to 15,000 seats	Expandable to 18,000 seats
0 Seats (Sept. 82)	\$16,000	-	-	-
6,400 seat facility (Sept. 82)	20,530	21,050	26,100	27,090
9,440 seat facility (Sept. 82)	28,440,	29,800	32,360	33,980
15,300 seat facility (Sept. 82)		42,660	39,880,	42,130
. from 6,400 (Sept. 85)	48,180	-	45,460	-
. from 9,440 (Sept. 85)	44,980	-	42,930	-
18,000 seat facility (Sept. 82)	-		-	42,670
. from 6,400 (Sept. 85)	-	52,170	-	48,980,
. from 9,440 (Sept. 85)	-	48,630	-	46,190,
NON EXPANDABLE FACILITY				
6,400 seats + 60,000 sq. ft. of exhibit area (Sept. 82) 16,000 excluding expansion capability and all items which combine the facility with Jackson Square.				
OPTIONAL EXTRAS*				
(Sept. 82)	4,000	4,000	4,000	4,000
(Sept. 85)	5,620	5,620	5,620	5,620
- Inclusions:				
. ramps from grade to plaza (2)				
. additional promenade retail space (York & Bay + adj. Jackson Square)				

Source: Hanscomb Roy Associates, see Appendix A.

* Not included in any facility costs.

NOTE: All facilities costed included 60,000 sq. ft. of trade centre space

I B I Report

EXHIBIT 2

ARENA/TRADE CENTRE

STATEMENT 2

SUMMARY OF NET REVENUE TO THE CITY OF ALTERNATIVE FACILITY OPERATION

SEATS	1980 (Base Year)		1983		1986		1986 LEVERAGE OF FULL N.H.L. SELL OUT	
	OPERATED BY CONTRACT	OPERATED BY CITY	OPERATED BY CONTRACT	OPERATED BY CITY	OPERATED BY CONTRACT	OPERATED BY CITY	OPERATED BY CONTRACT	OPERATED BY CITY
6,400	672,000	803,000	894,000	1,150,000	-	-	-	-
9,440 ²⁾	806,400	963,600	1,100,000	1,300,000	-	-	-	-
15,300 ³⁾	1,440,000	1,635,000	1,916,600	2,176,200	2,551,000	2,896,500	3,057,282	3,463,679
18,000 ³⁾	1,673,250	1,892,250	2,227,100	2,518,600	2,964,300	3,352,200	3,435,800	3,880,500

NOTE: A - ALL REVENUES SHOWN ASSUME NO DEBT SERVICING COSTS

B - ALL REVENUES INCLUDE REVENUES FROM TRADE CENTRE

1) All revenues in current dollars escalate at 10% per annum from 1983.

2) Additional revenue estimated at 20% higher than 6,400 seat revenue.

3) Assumes Revenues from NHL Franchise.

4) See Appendix B for Salary Assumptions.

Alderman Edge

April 10, 1981

Revenue Generation of Alternate Facilities

Exhibit 2 summarizes the revenues associated with each of the alternate facilities under analyses, as follows:

1. A 6,400 seat facility will generate a 1983 revenue ranging from \$894,000 to ~~\$1,150,000~~ *1,150,000*
2. A facility including approximately 10,000 seats will generate revenues, in the same year, ranging from \$1,100,000 to \$1,300,000.
3. A 15,300 seat facility will generate revenues ranging from \$1,900,000 to \$2,200,000, in 1983.
4. An 18,000 seat arena could generate revenues ranging from \$2,200,000 to \$2,500,000.
5. Assuming expansion of the facilities occurs in 1986, the following revenues could be generated:
 - . a 15,300 seat facility could generate revenues ranging from ~~\$2,500,000~~ to ~~\$2,900,000~~, in 1986.
 - . an 18,000 seat facility could generate revenues ranging from \$2,900,000 to \$3,350,000, in 1986.

Justification of Additional Costs
To Provide 18,000 Seats

In order to determine the justification for increasing the seating capacity of a facility providing 15,300 to 18,000 seats we have undertaken an analysis of the additional leveling which full capacity seating during NHL games will generate.

The last two columns of Exhibit 2 entitled "Leverage of Full NHL Sell Out" show the revenue generated by the arena assuming a full sell out of seats during NHL games. The differential income generated between a fully sold out 15,300 seat facility and a fully sold out 18,000 seat facility generates additional income ranging from \$380,000 to \$415,000 per annum. Accordingly, assuming a mortgage rate of 10% this additional revenue will carry an added capital cost of some \$4 million which is approximately the additional cost required to expand the 15,300 seat facility to 18,000 seats in 1985.

5. Economic Impact of Alternative Facilities

The economic impact of the various arena/trade centre options is measured in terms of annual total local income, direct and total employment, and total wages and salaries (a component of total local income). These measures were calculated in the same manner as described in Appendix 2J of the September, 1980 Stadium/Arena Feasibility Study report.

Exclusions (cont'd)

- Restructuring of ground transportation systems
- Concession equipment
- Loose furniture
- Post contract contingency
- Owner's administrative costs
- Escalation beyond a September 1982 tender
- Escalation on future additions, construction delay, except as noted
- Cost of providing finishes to corporate boxes
- Finishes to retail spaces

Estimate Commentary

All quantities were measured from the architectural sketches as contained elsewhere in this report.

The basic facility wall cladding is assumed to be an economical, temporary enclosure.

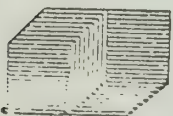
The 15,300 seats can also be added incrementally in stages as dictated by the structural enclosures at any one, or combination of the four, corners of the building.

The 18,000 seat facility costs must preclude an additional building height in the basic facility and at the 9,440 seat stage, with the resultant cost effect as outlined in the summary of findings.

Should pedestrian ramps from street to plaza level be desirable, the additional cost would be in the order of \$400,000 in September 1982.

Should additional promenade retail area at the York and Bay Street sides, fitted under the seating, be desirable, an additional cost allowance of \$3,600,000 (September 1982) should be carried.

Cost Analysis sheets for two schemes are included (Sheets 4 and 5) and additional scheme analyses can be made available for those schemes which need to be studied more closely.



Hanscomb
Roy
Associates

April 10, 1981

City of Hamilton
Treasury

STATEMENT 5

SUMMARY OF REVENUE ASSUMPTIONS APPLIED TO REDUCE THE PROJECT COST OF THE ARENA/TRADE CENTER
(in millions of dollars)

Seats (1)	Federal Contribution (2)	Provincial Contribution (3)	Capital Levy (4)	Subtotal Col (2)+(3)+(4) (5)	Public Subscription Col (5)+(6) (7)	Subtotal Col (5)+(6) (7)	Net revenue applied to finance the debt				Total Reduction of Cost		
							1982 Decision Col (7)+(8) (11)	1982 Decision Col (7)+(8) (11)	1982 Decision Col (7)+(8) (11)	1982 Decision Col (7)+(8) (11)	1985 Decision		
											Conversion to 18,000 Seats		
							1982 Decision Col (8) (8)	1982 Decision Col (8) (8)	1982 Decision Col (8) (8)	1982 Decision Col (8) (8)	1985 Decision Conversion to 15,300 Seats Col (9) (9)	1985 Decision Conversion to 15,300 Seats Col (9) (9)	1985 Decision Conversion to 18,000 Seats Col (10) (10)
6,400	4.0	4.1	2.0	10.1	.5	10.6	5.6	5.6	16.0	18.5	16.2	26.6	29.1
9,400	4.0	4.1	2.0	10.1	1.5	11.6	6.9	6.9	16.0	18.5	18.5	27.6	30.1
15,300	4.0	4.1	2.0	10.1	3.5	13.6	12.0	12.0	16.0	18.5	25.6	29.6	32.1
18,000	4.0	4.1	2.0	10.1	3.5	13.6	13.9	13.9	N/A	18.5	27.5	N/A	32.1

NOTE (1) No allowance has been made for interest income.

(2) Net revenues in 1983 and 1986 of Exhibit 2 of I.B.I. Group report were used to calculate debt @ 15% compounded annually on a 20 year term for 1982 and 1985 decisions, respectively.

(3) Assumed operator of concession will be responsible for purchase of equipment, etc., in Statement 3.

(4) Summary of Net Revenue - Exhibit 2 based on the medium range as shown on Exhibits 9 and as summarized on Page 7 of the I.B.I. Report.

NRA:kah
April 16, 1981

City of Hamilton
TreasuryBASIC CONSTRUCTION COSTS AND FINANCING OF A 15,300 SEAT ARENA/TRADE CENTRE
(in millions of dollars)

Description (1)	Financing per Statement 5									
	1982					1985				
	Decision		Decision			Decision		Decision		
	Number of Seats	Gross Capital Cost	Capital Receipts (from Column 7)	Revenue Converted to Debt (from Column 8)	Capital Receipts (from Column 7)	Revenue Converted to Debt (from Column 9)	Revenue Converted to Debt (from Column 9)	Capital Receipts (from Column 7)	Revenue Converted to Debt (from Column 9)	Balance of Cost to be financed
	1982 Decision	1982 Decision	1985 Decision	1985 Decision	1982 Decision	1982 Decision	1985 Decision	1982 Decision	1985 Decision	1982 Decision
	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
										(3-(6+7)) (4-(8+9) except 3d)
(note Statement 1)										
1. Incremental Shell (Expandable)										
a) Zero Seats *	NIL	16.0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
b) 6,400 Seats	6,400	20.5	48.2	27.6	10.6	5.6	10.5	16.0	4.3	21.7
c) 9,400 Seats	9,400	28.4	45.0	16.6	11.6	6.9	11.6	16.0	9.9	17.4
2. Full Shell (Expandable)										
a) Zero Seats	N/A	N/A	N/A	N/A	N/A				N/A	N/A
b) 6,400 Seats	6,400	26.1	45.5	19.4	10.6	5.6	10.6	16.0	9.9	18.9
c) 9,400 Seats	9,400	32.4	42.9	10.5	11.6	6.9	11.6	16.0	13.9	15.3
3. Non Expandable										
a) 6,400 Seats	6,400	16.0	N/A	N/A	10.6	5.6	N/A	N/A	NIL	N/A
d) 15,300 Seats	15,300	39.9	N/A	N/A	13.6	12.0	13.6	16.0	14.3	10.3

* No estimates provided for expansion to 15,300 seats

ECM:kah
April 23, 1981

City of Hamilton
TreasuryPROPOSED METHOD OF FINANCING A
15,300 SEAT ARENA/TRADE CENTRE
ASSUMING CONSTRUCTION STARTS IN 1982
(in millions of dollars)

Description (1)	Total (2)	1981 (3)	1982 (4)	1983 (5)	1984 (6)	1985 (7)	1986 (8)
Gross Cost	39.9						
Financing (1)							
Capital Receipts							
Federal Government	4.0	4.0					
Provincial Government	4.1		4.0	.1			
Capital Levy - P. 8-4 Capital Budget	2.0	.2	.6	1.2			
Public Subscription	3.5	2.5	1.0				
Sub-total Capital Receipts	13.6	6.7	5.6	1.3	-	-	-
Debt financed from Net Revenues (2)							
- based on I.B.I. information	16.0			10.0	6.0		
Total per Statement 5 - Column 12	29.6						
1 mill special levy	3.6	-	.9	.9	.9	.9	-
Debenture issue financed from Current Estimates (2)	6.7					6.7	
Total Financing	39.9	6.7	6.5	12.2	6.9	7.6	-
- Cost to a taxpayer in residential mills							
a) Capital levy 1982 to 1985	-	NIL	1 mill	1 mill	1 mill	1 mill	-
b) Based on 6.7 million 1986 and beyond		-	\$ -	\$ -	\$ -	\$ -	1.1 mills
- Cost based on \$5,000 assessment	-	NIL	\$5.00	\$5.00	\$5.00	\$5.00	\$5.50

NOTE: (1) No allowance has been made for either interest from investments or for internal financing during the period of construction.

(2) The cost of debenturing has been based on a 20-year issue at 15% per annum.

BASIC CONSTRUCTION COSTS AND FINANCING OF AN 18,000 SEAT ARENA/TRADE CENTRE
(in millions of dollars)

Financing per Statement 5										
Description (1)	Number of Seats 1982 Decision (2)	Gross Capital Cost		1982 Decision		1985 Decision		Converted Revenue to Debt (from Col.10) (9)	Balance of Cost to be Financed 1982 Decision (10) (3-(6+7))	1985 Decision (11) (4-(8+9)) (except for 3(e))
		1982 Decision (3) (Note Statement 1)	1985 Decision (4)	Additional Cost in 1985 (5)	Capital Receipts (from Col.7) (6)	Converted Revenue to Debt (from Col.8) (7)	Capital Receipts (from Col.7) (8)			
1. Incremental Shell - expandable										
(a) Zero Seats	N11	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
(b) 6,400 Seats	6,400	21.1	52.1	31.0	10.6	5.6	10.6	18.5	4.9	23.0
(c) 9,400 Seats	9,400	29.8	48.6	18.8	11.6	6.9	11.6	18.5	11.3	18.5
2. Full Shell - expandable										
(a) Zero Seats	N11	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
(b) 6,400 Seats	6,400	27.1	49.0	21.9	10.6	5.6	10.6	18.5	10.9	19.9
(c) 9,400 Seats	9,400	34.0	46.2	12.2	11.6	6.9	11.6	18.5	15.5	16.1
(d) 15,300 Seats	15,300	42.1	43.0 *	.9	13.6	12.0	13.6	18.5	16.5	10.9
3. Non-expandable										
(a) 6,400 Seats	6,400	16.0	N/A	N/A	10.6	5.6	N/A	N/A	N11	N/A
(e) 18,000 Seats	18,000	42.7	N/A	N/A	13.6	13.9	13.6	18.5	15.2	10.6

* This figure was supplied separately by an official of I.B.I.

City of Hamilton
Treasury

STATEMENT 9

PROPOSED METHOD OF FINANCING A
18,000 SEAT ARENA/TRADE CENTRE
ASSUMING CONSTRUCTION STARTS IN 1982
(in millions of dollars)

Description (1)	Total (2)	1981 (3)	1982 (4)	1983 (5)	1984 (6)	1985 (7)	1986 (8)
Gross Cost	42.7						
Financing (1)							
Capital Receipts							
Federal Government	4.0	4.0					
Provincial Government	4.1		4.0	.1			
Capital Levy - P.S-4 Capital Budget	2.0	.2	.6	1.2			
Public Subscription	3.5	2.5	1.0				
Sub-total - Capital Receipts	13.6	6.7	5.6	1.3	-	-	-
Debt financed from Net Revenues (2)							
- based on I.B.I. information	18.5			12.0	6.5		
Total per Statement 5 - Column 13	32.1						
1 mill special levy	3.6	-	.9	.9	.9	.9	
Debtenture issue financed from Current Estimates (2)	7.0					7.0	
Total Financing	42.7	6.7	6.5	14.2	7.4	7.9	
- Cost to a taxpayer in residential mills							
a) Capital levy 1982 to 1985	-	NIL	1 mill	1 mill	1 mill	1 mill	-
b) Based on 7.0 million 1986 and beyond	-	-	-	-	-	-	1.2 mills
- Cost based on \$5,000 assessment	-	NIL	\$5.00	\$5.00	\$5.00	\$5.00	\$6.00

NOTE: (1) No allowance has been made for either interest from investments or for internal financing during the period of construction.

(2) The cost of debenturing has been based on a 20-year issue at 15% per annum.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its SIXTEENTH Report and respectfully recommends:-

1. That approval be given to Zoning Application 81-28, Albert and Morley Rubenstein, prospective owners, requesting a change in zoning from "L-c" (Planned Development - Commercial) District to permit a fruit and vegetable business for the lands located at 102 Park Street North and 60 Vine Street, as shown on the plan marked as APPENDIX "A" attached, on the following basis:
 - i) that the subject lands be rezoned from "L-c" (Planned Development - Commercial) District to "H" (Community Shopping and Commercial, etc.) District modified to include the following variances and restrictions:
 - a) that Section 14(1)(xi) of By-law No.6593 referring to an open-air market shall not apply
 - b) that notwithstanding Section 18(6)(ii) of By-law No.6593 loading spaces shall be provided on the following basis:
 - (1) for a building with a gross floor area of 280 sq. metres (3,000 sq. ft.) to 900 sq. metres (9,700 sq. ft.) one loading space with the following dimensions shall be provided:

3.7 m (12') by 9.0 m (30') by 4.3 m (14') high, and
 - (2) for a building with a gross floor area of 900 sq. metres (9,700 sq. ft.) to 1,850 sq. metres (2,000 sq. ft.) one loading space with the following dimensions shall be provided:

3.7 m (12') by 18.0 m (60') by 4.3 m (14') high
 - ii) that the amending By-law be added to Section 19(b) of the Zoning By-law as Schedule S-756 and that the subject land on Zoning District Map W-4 be notated S-756;
 - iii) that the City Solicitor be directed to prepare a By-law to amend Zoning By-law No.6593 and Zoning District Map W-4 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk;
 - iv) that the proposed change in zoning is in conformity with the Official

Plan for the Hamilton Planning Area;

- v) that the By-law 79-275 establishing site plan control be amended by adding to Schedule "B" the lands described on the Plan marked as APPENDIX "A" attached, and that the City Solicitor be directed to prepare a by-law accordingly.

EXPLANATORY NOTE:

The by-law will provide for a change in zoning from "L-c" (Planned Development - Commercial) District to "H" (Community Shopping and Commercial, etc.) District for properties located at 102 Park Street North and 60 Vine Street, as shown on Zoning District Map W-4.

The purpose for the change in zoning is to permit the subject properties to be used for a fruit and vegetable business.

The development of the lands will be subject to site plan control.

- 2. That Item 4 of the 10th Report of The Planning and Development Committee adopted by City Council on March 4, 1981 be amended as follows:

That approval be given to Zoning Application 80-71, Gary and Shirley Latta, owners, for an amendment to the zoning regulations applicable to property at 55 Sherman Avenue South, as shown on the plan marked APPENDIX "B" attached, on the following basis:

- i) that part of the subject land designated as Block 1 be rezoned from "C" (Urban Protected Residential etc.) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District; and
- ii) that the "D" District provisions as contained in Section 10 of By-law No.6593 applicable to the lands described as Blocks 1 and 2 be modified as follows:
 - a) that a 1.2 m (3.94') to 2.0 m (6.56') high closed fence be required along the easterly and northerly property lines, and that a 1.5 m (5') planting strip be required adjacent to the easterly property line;
 - b) that notwithstanding the provisions of clause (v) of subsection (1) of Section 10, an ordinary lodging house licensed as such, for the accommodation of not more than 20 lodgers shall be permitted;
 - c) that notwithstanding the provisions of clause (iib) of Subsection 1 of Section 9 of By-law No.6593 as amended by By-law 81-27 a residential care facility for the accommodation of 20 residents shall be permitted;
 - d) that the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-741 and that the subject land on Zoning District Map E-33 be notated as S-741;

- e) that the City Solicitor be directed to prepare a by-law to amend Zoning By-law No.6593 and Zoning District Map E-33 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk;
- f) that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

BACKGROUND:

On October 1, 1980 the Planning and Development Committee decided to circularize the subject Application. A public hearing was held with respect to the Application on February 25, 1981. On the recommendation of the Committee, City Council approved the Zoning Application on March 10, 1981.

It was later discovered that the subject property was being used as a Residential Care Facility and not merely as an ordinary Lodging House.

The Committee agreed to recommend to City Council that the previous recommendation of the Planning and Development Committee adopted March 10, 1981 be amended to recognize either an ordinary Lodging House (maximum of 20 lodgers) or a Residential Care Facility (maximum of 20 residents) as permitted under the amending By-law. At its meeting of April 28, 1981 City Council decided to refer the recommendation back to the Planning and Development Committee on the understanding that a public meeting may not have been held in conjunction with the subject Application.

Since a public meeting was in fact held on February 25, 1981 and since there is no change in the occupancy level of the permitted uses, it is the opinion of the Committee that it is not necessary to hold a second public meeting.

- 3. 1.a) That approval be given to Official Plan Amendment No.366 to establish a change in land use designation from "Residential" to "Commercial" for the lands located at 272 Rosslyn Avenue North in order to permit restricted commercial uses, and that the City Solicitor be directed to prepare a by-law to adopt this Official Plan Amendment for submission to the Ministry of Housing.
- 1.b) That approval be given to Zoning Application 81-14, Vljakov Investments Limited, owner, requesting a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwelling etc.) District to "H" (Community Shopping and Commercial, etc.) District on lands located at No.272 Rosslyn Avenue North, as shown on the plan marked APPENDIX "C" attached, on the following basis:
 - 1) that the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14(1) of By-law No.6593 be modified to permit only the following uses:

RESIDENTIAL USES

- a) A single family dwelling on any vacant lot which adjoins a lot upon which is located a dwelling or a multiple dwelling; or a single family dwelling on a vacant lot where more than half of

the lots on the same side of the street between two intersecting streets are the sites of dwellings, multiple dwellings, or building containing dwelling units.

- b) One or two dwelling units in the same building with a commercial use permitted in the district.
- c) One dwelling unit for each 180.0 sq. metres (1,937.50 sq. ft.) of area of the lot upon which the building is situate provided that the building does not exceed two stories in height and provided further that the gross floor area of the building used for dwelling units does not exceed the gross floor area used for commercial purposes.

COMMERCIAL USES

- d) A book-binder's or carpenter's shop which is not a factory; a gunsmith's or locksmith's shop.
- e) Storage of goods to be manufactured, assembled or sold upon the premises, if occupying not more than 25% of the floor area.
- f) A printing establishment, if not more than 25% of the floor area is occupied by power-driven mechanical equipment.
- g) Office or consultative uses or personal clinical services by a 'charitable institution' within the meaning of The Charitable Institutions Act, which may be in a dwelling or a converted dwelling, provided;
 - 1) that same is structurally suitable for the proposed conversion;
 - 2) that any increase in the cubic contents is in accordance with the provisions of By-law No.6593 with respect to height and area, and that the external appearance and residential character is preserved;
 - 3) that there shall be no outside stairway other than an unenclosed fire escape;
 - 4) that there is no additional use in the building save living quarters for necessary maintenance staff;
 - 5) that there is provided in the side yard or rear yards or both, at least one parking space for every 93.0 sq. metres (1001.04 sq. ft.) of gross floor area including any basement or cellar area used for any of the above-mentioned purposes; and
 - 6) that there is no sign other than a non-illuminated wall sign of an area of not more than 0.2 sq. metres (2.15 sq. ft.)
- h) A business or professional person's office.

- 1) A photographer's or artist's studio, but not including a motion picture studio.
- j) A barber shop, hairdressing establishment, beauty parlour, shoe-shine parlour, caterer's shop or other such establishment for personal service, including a messenger service.
- k) A tailor's shop, dressmaker's establishment, millinery shop, shoe repair shop or other wearing apparel work-shop, or a household appliance repair shop, provided there are not more than five persons employed in the business at any time of the year, including the proprietor if working.
- l) A laundry or dry-cleaning establishment using non-flammable solvents only, or a cleaner and presser if no more than 1.127 litres (1 quart) or inflammable liquid is at any time upon the premises, or a collecting and distributing station for a laundry or dry-cleaning establishment; provided there are no more than five persons employed in any such business, at any time of the year, including the proprietor if working.
- m) Parking spaces or a public parking lot.
- n) A business identification sign that is a wall sign of an occupancy or use, that complies with the following requirements:
 - 1) No sign shall exceed 2.0 metres (6.56 ft.) in height.
 - 2) The total aggregate area of all the signs shall not exceed 0.5 sq. metres (5.38 sq. ft.) for each 0.5 metres (1.64 ft.) of exterior lineal face of the building.
 - 3) Every sign shall be parallel to the wall to which it is affixed.
 - 4) No sign shall be illuminated unless the source of light is steady and suitably shielded to contain the illumination.
- o) An electrical appliance repair shop, provided that no more than 25% of the floor area is occupied by power-driven mechanical equipment.
- ii) that notwithstanding the "H" (Community Shopping and Commercial, etc.) District regulations, the existing building may be used for the permitted uses as set out under i) above.
- iii) that the amending By-law be added to Section 19(b) of the Zoning By-law as Schedule S-757, and that the subject land of Zoning District Map E-43 be notated S-757.
- iv) that the City Solicitor be directed to prepare a By-law to amend Zoning By-law No.6593 and Zoning District Map E-43 and make application to the Ontario Municipal Board for approval on completion of its

requirements by the City Clerk.

- v) that the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area, with the approval of Amendment No.

EXPLANATORY NOTE

The purpose of the By-law is to change the zoning on the subject lands from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to an "H" modified (Community Shopping and Commercial, etc.) District to permit the said lands to be used for restricted commercial uses.

- 4. 1.a) That approval be given to Official Plan Amendment No.363 to establish a text amendment to the "Residential" designation for lands located at 481 West 5th Street to permit a medical doctor's office, and that the City Solicitor be directed to prepare a by-law to adopt this Official Plan Amendment for submission to the Ministry of Housing.
- 1.b) That approval be given to Zoning Application 81-12, Barbara B. Pinto, prospective owner, requesting a modification to zoning regulations for lands located at 481 West 5th Street, as shown on the plan marked as APPENDIX "D" attached, on the following basis:
 - i) that the "C" (Urban Protected Residential, etc.) District regulations applicable to the subject lands be modified so as to permit the following variances and restrictions as special requirements:
 - a) notwithstanding Section 9(1)(i) of By-law No.6593, in addition to a residential use, a medical doctor's office shall be permitted;
 - b) that the medical office be restricted to the ground floor level of the dwelling and that the maximum floor area not exceed 102.9 sq. metres (1100 sq. ft.) for the medical office.
 - c) that off-street parking be provided on the basis of 1 parking space per 19.0 sq. metres (200 sq. ft.) of floor area for the medical practice, plus 1 parking space for the dwelling unit;
 - d) that a 1.5 m (5') planting strip containing a 1.2 m (3.94') to 2.0 m (6.56') high closed fence be provided and maintained along the southerly and easterly property lines to provide privacy for the abutting property owners;
 - e) that development on the site be subject to the provisions of the Site Plan Control By-law 79-275;
 - ii) that the amending By-law be added to Section 19(b) of the Zoning By-law as Schedule S-758, and that the subject land of Zoning District Map W-9 be notated S-758.
 - iii) that the City Solicitor be directed to prepare a By-law, to amend Zoning By-law No.6593 and Zoning District Map W-9 and make application

to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk;

- iv) that the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area, with the approval of Amendment No.363.

BACKGROUND:

The subject application was considered by the Planning and Development Committee on April 15, 1981, at which time it was decided to circularize the Application. A public hearing was held with respect to the Application on May 13, 1981.

The Committee agreed to recommend to City Council that the Zoning Application be refused, as it was considered that the proposed use would be inappropriate in this residential area. The Committee also forwarded a letter to the Parks and Recreation Committee recommending that the Committee consider the possibility of using the site in question as a parkette.

At its meeting held May 26, 1981, City Council decided to refer the recommendation back to the Planning and Development Committee for further consideration. The Planning and Development Committee now recommends that the Zoning Application be approved, having regard to the fact that the Parks and Recreation Committee has advised that the site will not be required for active play purposes or as a passive area.

5. That Zoning Application 81-19, William W. Bennett, William A. MacDonald and Joseph Privilegio, owners, requesting a change in zoning from "AA" (Agricultural) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to permit a residential development on lands located at #1118, #1128 and #1134 Upper Wentworth Street, be refused for the following reasons:
 - 1) the proposal does not comply with the existing City Official Plan.
 - 2) the proposal does not comply with the New City Official Plan (presently before the Minister).
 - 3) the proposal does not comply with the Regional Official Plan.
 - 4) the proposal is not in conformity with the Crerar Neighbourhood Plan.
 - 5) approval of the application would necessitate the relocation of the east-west "Freeway" corridor which is not desirable.
 - 6) full municipal services are not available to the subject lands.
6. That Zoning Application 81-16, M.H.Y. Investments Inc., owner, requesting a modification to the established "G" (Neighbourhood Shopping) District regulations to permit, in addition to the "G" District uses, a self-serve gas bar on lands located at #1300 Garth Street, be refused for the

following reason:

It is considered that a self-serve gas bar is an inappropriate use in a neighbourhood shopping centre and would adversely affect the character of the residential properties in the surrounding area. It is further considered that there is no need for a gasoline outlet at this location because of its proximity to other gasoline outlets in the area.

7. That a one year extension of draft approval for Application SA-73-25, DiCenzo Construction Limited and Sunshine Homes, owners, for "Almas Gardens" be recommended to the Ministry of Housing (File No.25T-24790). The subject lands are located on the east side of Upper Horning Road in the area north of Stone Church Road in the Gurnett Neighbourhood.
8. That the City request the Region for an amendment of draft approval - Regional File No.25CDM-79001 - Proposed Condominium - by deleting the condition e) of draft approval, dated December, 1979, respecting Condominium plan drawing No.S-5931 by MacKay, MacKay & Peters, dated April 18, 1979. The lands are located in the Parkview West Neighbourhood, and front onto the east side of Dunn Avenue between Glow and Grace Avenues and comprise part of lot 31, Broken Front Concession, in the former Township of Saltfleet, now in the City of Hamilton and lots 500, 600 and Parcel "1" in Parkview, Registered Plan No.573.

BACKGROUND

The Regional Director, West Central District, of the Ministry, has made the following reply:

"With regard to the December 20, 1979, draft approval of the above noted Plan of Condominium, I hereby request that Condition e) respecting an odour warning clause, be deleted".

9. (a) That the City of Hamilton approve a by-law to remove part-lot control for Lots 18 to 22 inclusive, and 28 to 31 inclusive on Plan 253, "Westbrook Gardens - Stage 2, Phase II".
(b) That application be made to the Region to approve the By-law removing part-lot control on the above-noted lots.
- 10.a) That approval be given to Application SA-75-26, 300973 Ontario Limited, owner, to establish a draft plan of subdivision located at the east end of the City, north of Queenston Road and east of Lake Avenue, as shown on the plans attached, subject to the following conditions and requirements:
 - 1) That this approval apply to the plan prepared by H. B. Ashenhurst, dated May 12, 1975, showing six blocks, as revised.
 - 2) That the road allowance shown on the approved copies of the draft plan

be dedicated as public highways on the final plan.

- 3) That the streets be named to the satisfaction of the Regional Municipality of Hamilton-Wentworth and the City of Hamilton.
- 4) That the owner convey land in the amount of 5% of the land included in the plan to the municipality for park purposes pursuant to the provisions of Section 33(5)(a) of The Planning Act. The park dedication represents a portion of Block 3.
- 5) That dead ends and open sides of road allowances created by the plan be terminated in .305 m reserves and be conveyed to the City of Hamilton.
- 6) That the proposed subdivision conform with the restricted area by-law for the City of Hamilton approved by the Ontario Municipal Board under Section 35 of The Planning Act.
- 7) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
- 8) That the surveyor provide the City of Hamilton and the Region with a certified list showing the net area of each Block in the final plan.
- 9) That all hydro utilities be installed underground.
- 10) That the plan, or any portion of the plan, not be required until such time as municipal services are available to the lands.
- 11) That in the event the subject lands are registered prior to the development of lands to the north and to the east, the owner is to acquire from the City and include as road allowance in the final plan, sufficient lands to extend Street "A" in a northerly direction over all of Part 2 Plan 62R-2640, and to acquire and include within the final plan, sufficient land to establish as public road allowance the easterly and thence southerly extension of Street "A" to Queenston Road. The latter extension is to terminate opposite the existing Donn Avenue in accordance with the approved Neighbourhood Plan for this area.
- 12) That the owner install storm sewers, sanitary sewers, public water-mains, preliminary roadways and pedestrian walkway facilities throughout the lands to be acquired for roadway allowance purposes.

(Note: Due to the cost of these external services, the Region and/or City may not approve the necessary expenditures to allow for cost sharing arrangements).
- 13) That Street "A" align with Part 2, Plan 62R-3664 which indicates the alignment of one of the future roadway accesses to this site.
- 14) That approval of the Commissioner of Engineering be required for any alterations to the existing grades of the land below the top of the bank of the ravine lands to the west of the site and that the owner provide a grading plan to the satisfaction of the Regional Engineer.

15) That the owner satisfy the following requirements of the Hamilton Region Conservation Authority:

- i) The establishment of a buffer strip of a minimum width of 25 ft. above and along the crest of the Stoney Creek ravine within which the existing grades are maintained as the final grades and further that no disturbance of existing trees occurs.
- ii) That the owner prepare a detailed grading plan acceptable to the Hamilton Region Conservation Authority wherein existing and proposed grades are indicated as well as areas of filling and excavation.
- iii) That the owner prepare a soils report acceptable to the Hamilton Region Conservation Authority wherein the stability of the ravine slope is determined and remedial work, if required, is outlined, and that the owner implement such remedial work.
- iv) That the owner prepare a vegetative plan acceptable to the Hamilton Region Conservation Authority wherein the location of trees is noted and in particular trees to be retained, removed, replaced, and replanted within the 25 ft. buffer strip along the crest of the Stoney Creek Ravine.
- v) That in the event the 25 ft. buffer strip is to be penetrated by either fill or structures, compliance with Ontario Regulation 118/70, as amended, be required.
- vi) That Blocks 1, 2 and 3 be subject to an agreement registered on title in accordance with Ontario Regulations 118/70, as amended.
- vii) That a snow fence be erected at top of the bank during construction to prevent indiscriminate dumping of surplus fill and construction debris over the bank.

16) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.

b) That the owner enter into a subdivision agreement with the Corporation of the City of Hamilton which is to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to Application SA-75-27, "Donn Estates", draft plan of subdivision and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

11. Approval of the Agreement to Accept Compensation between Harold and Audrey Gleadow and the City of Hamilton respecting the expropriation of all interests in the properties known as 470, 474 and 476 York Street for the sum of \$71,730.00.

It is understood and agreed that interest at 6% per annum will be paid pursuant to the Expropriations Act on the portion of the realty value that is in excess of the statutory compensation already offered, namely

\$15,650.00 calculated from the date of vacant possession by the City, namely, January 30, 1976 to the closing date of this transaction.

These properties were required by the City for the widening of York Street between Queen Street and Dundurn Street.

12. Whereas, at its meeting held February 13, 1979 City Council, in adopting the Seventh Report for 1979 of The Planning and Development Committee, approved the development of a community/multi-service centre at Zion United Church, pursuant to the provisions of the Neighbourhood Improvement Programme (N.I.P.) within the Kirkendall-Strathcona Redevelopment Area, and the execution of an appropriate Agreement; and,

Whereas, in order that the congregation of Zion United Church could provide services to the Area, the Hamilton Presbytery, United Church of Canada, has established 'Wesley Urban Ministries' - a corporation without share capital - to administer, and be jointly responsible with Zion for the delivery of services from the centre to be known as the 'Kirkendall-Strathcona Neighbourhood House'; and

Whereas, an 'In-House Committee' has been established, made up of two (2) representatives from each user/delivery agent group which will operate from the 'Neighbourhood House'; which Committee has established and agreed upon procedures pertaining to responsibilities, authority, composition, voting procedure and accountability vis-a-vis 'Wesley Urban Ministries' and the delivery of services to residents of the Area; and,

Whereas, negotiations in respect of the agreement to which reference is made in the first recital have been generally concluded, and 'Wesley Urban Ministries' - as requested by Zion - is also to be a signatory to the agreement between the Trustees of Zion Congregation of the United Church of Canada and The Corporation of the City of Hamilton;

Now therefore, it is recommended:

That sub-section (i), Section 1., The SEVENTH Report for 1979 of The Planning and Development Committee, adopted by City Council at its meeting held February 13, 1979, be rescinded, and the following substituted therefor:

"That 'A Proposal to Redevelop Zion United Church for Congregation and Community', dated May 1981, be implemented pursuant to the provisions of the Neighbourhood Improvement Programme (N.I.P.), in the Kirkendall-Strathcona Redevelopment Area, at a gross cost not to exceed three hundred and seventyfive thousand dollars (\$375,000.00), and that these costs be charged to Account No.0404-K4301-2 (Community Centre - Zion United Church)."

13. That the City extend the closing date of the sale of vacant land at #201 Macauley Street East to Carlos Pires and Jose Oliveira to June 15, 1981 to allow the purchaser to obtain the necessary approvals for minor variances. Clause "C" of the original resolution approved by Council on December 9, 1980 made the closing of the sale conditional on the purchasers being able

to obtain approval for the construction of residential dwellings.

The purchasers have been proceeding with all conditions of the sale to finalize this transaction. The application for minor variances could take eight to nine weeks to be heard, and therefore an extension of the original closing date is recommended to allow sufficient time to process this application.

14. That 730 Upper James Incorporated be granted an extension of the construction completion date to July 1, 1981 on Lot 16, in the Hamilton Industrial Park No.1.

The owner advises that he was delayed in starting his building this spring due to wet and cold conditions and therefore was unable to complete his building by the required April 29, 1981 completion date.

15. Approval of the following account transfers in the total amount of \$10,353.81, within the Neighbourhood Improvement Programme (N.I.P.) Contingency Funds to complete the financing of the Norman P. Lewis Recreation Centre:

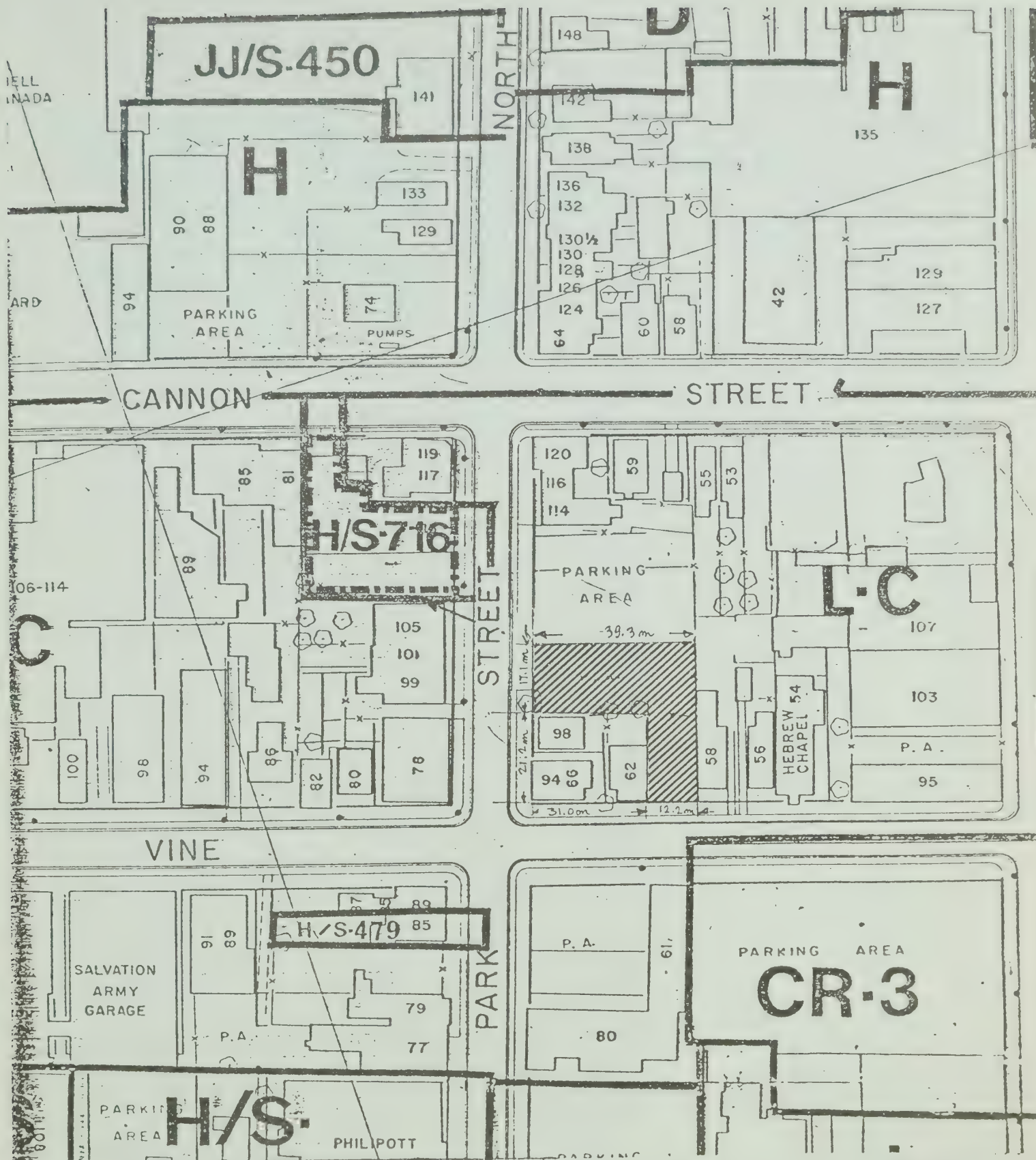
FROM	TO	AMOUNT
Account 0405-C5901-2 Gibson Contingency	0405-G5310-1	\$5,176.91
Account 0405-L6901-2 Lansdale Contingency	0405-L6310-1	\$5,176.90

For the information of the Members of Council, the total cost of various necessary changes made during construction of the Recreation Centre exceeded the contingency allowance included in the general contract, which was financed from the N.I.P. funds.

Respectfully submitted

JDT:bg
May 29, 1981

Alderman W. M. McCulloch, Chairman
Planning and Development Committee

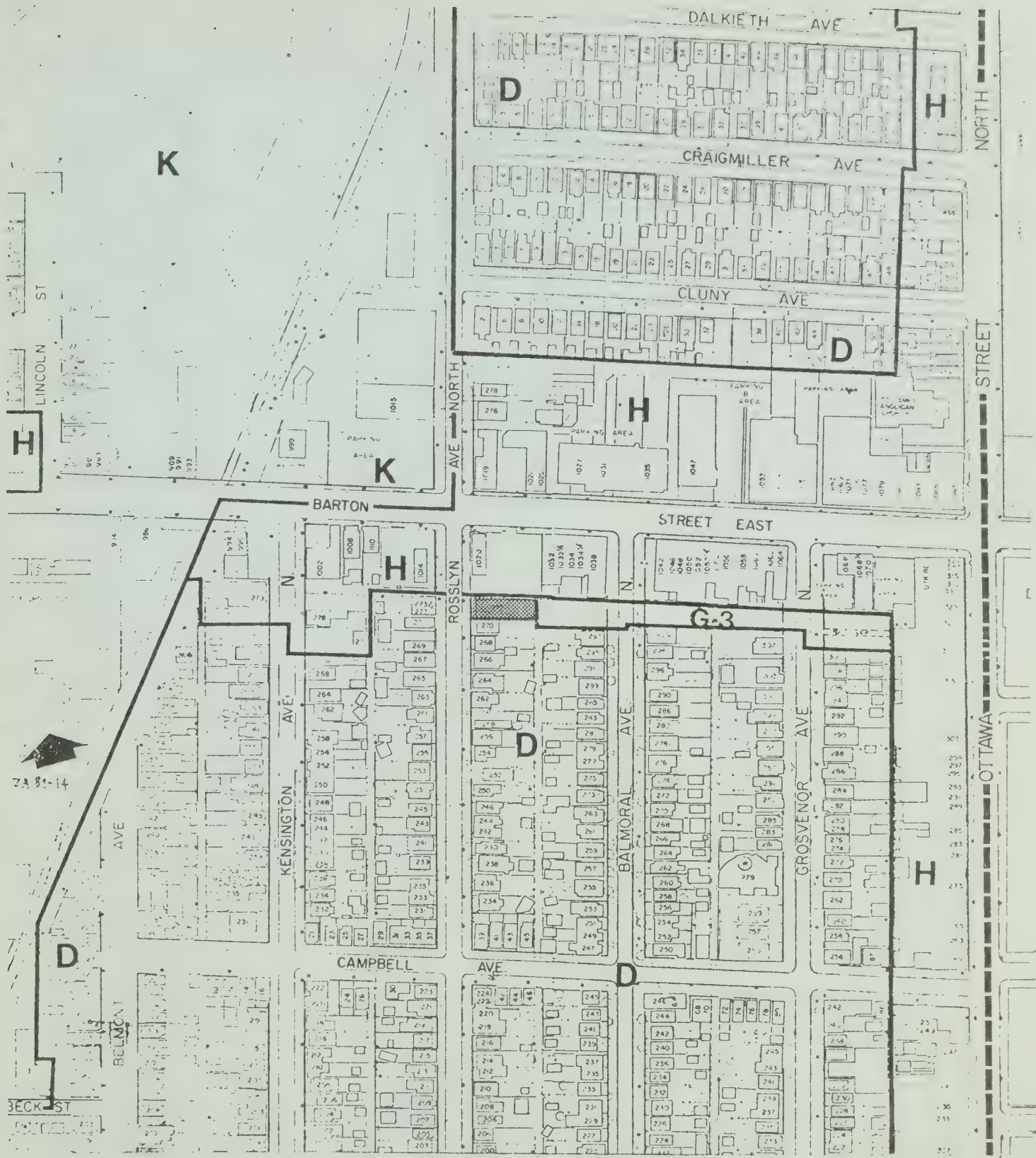


LEGEND

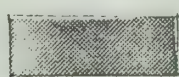


Change in zoning from "L-c" (Planned Development - Commercial) District to "H" (Community Shopping and Commercial, etc.) District.

E



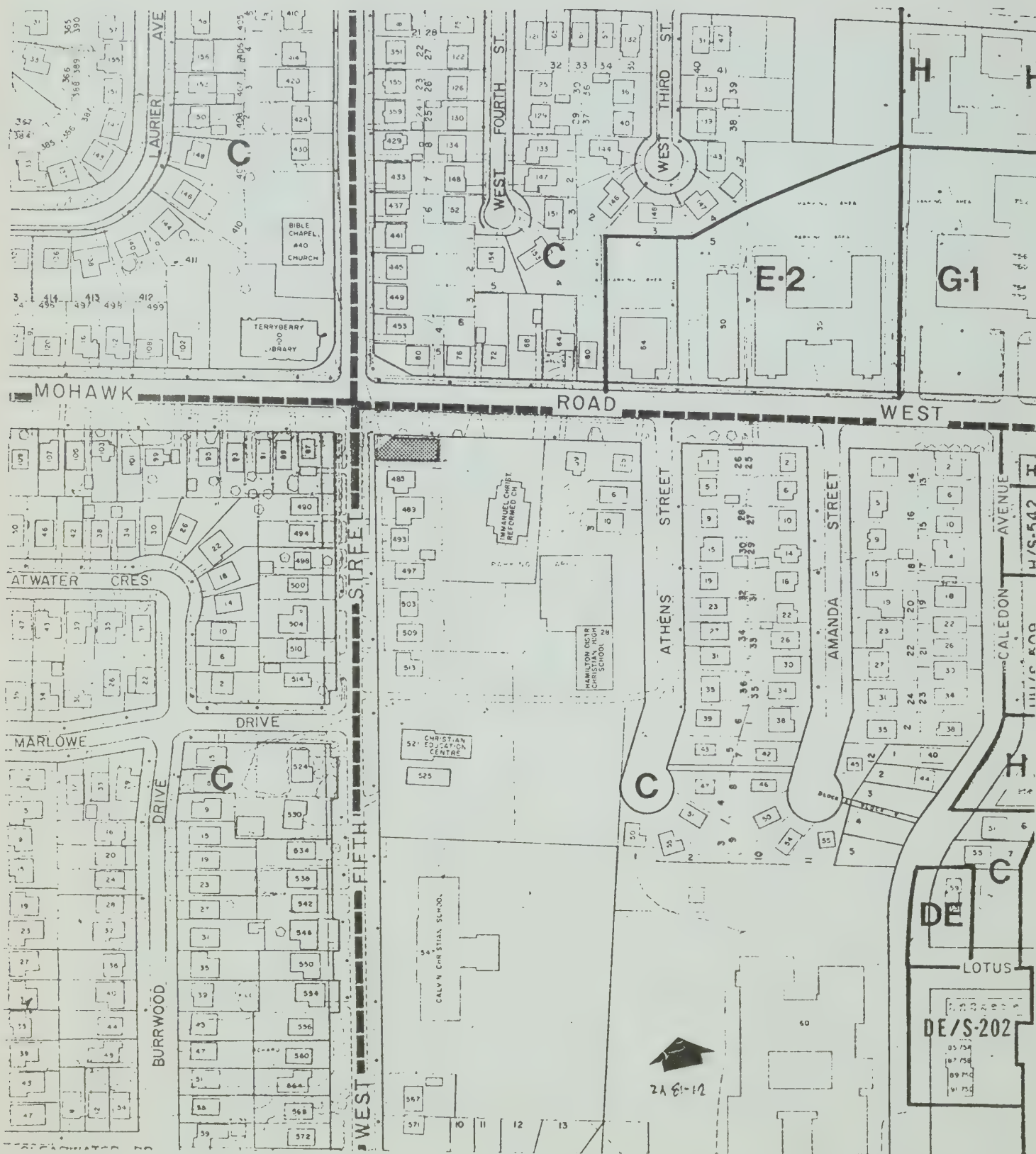
LEGEND



Lands for which a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District is proposed.

2A 81-14

E



LEGEND



Site of proposed building containing both a single family dwelling unit, and a medical doctor's office.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its SEVENTEENTH Report and respectfully recommends:-

1. That approval be given to zoning application 81-33, Sharongayle Investments Limited, owner, to establish a change in zoning, and modifications to the zoning regulations with respect to property located at #181 Hunter Street East, as shown on the attached plan marked as APPENDIX "A" on the following basis:
 - (1) a) that part of the subject land designated as Block 1 be rezoned from "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "G-3" (Public Parking Lots) District.
 - b) that the "G-3" District provisions as contained in Section 13c of By-law 6593 applicable to Block 1, be modified to include the following restriction:
 - i) that a 1.5 m (4.92') wide planting strip be provided and maintained along the easterly property limit adjacent to the "E" District.
 - (2) that the "J" (Light and Limited Heavy Industrial) District provisions as described in Section 3 of By-law 75-136 applicable to the subject lands designated as Block 2, be further amended only to the extent of the following variances and restrictions:
 - i) that in addition to the existing industrial use and expansion thereof, a wholesale/retail food store use shall be permitted.
 - (3) i) that the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-409 and that the subject lands described as Blocks 1 and 2 on Zoning District Map E5 be notated S-409 a.
 - ii) that the City Solicitor be directed to prepare a by-law to amend the Zoning By-law 6593 and Zoning District Map E5, and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
 - iii) that the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
 - (4) that the Corktown Neighbourhood Plan be amended accordingly.

EXPLANATORY NOTE:

The By-law will provide for a change in zoning of Block 1 from "E" (Multiple Dwellings, Lodges, Clubs etc.) District to "G-3" (Public Parking Lots) District

to permit only vehicle parking, and to modify further the established "J" (Light and Limited Heavy Industrial) District provisions applicable to Block 2 to permit a wholesale/retail food outlet as an additional use on property located at #181 Hunter Street East as shown on Zoning District Map E⁵.

- (5) That By-law 79-275 establishing Site Plan Control be amended by adding to Schedule "B" the lands described as Block 2 shown on the plan marked as APPENDIX "A" attached, and that the City Solicitor be directed to prepare a by-law accordingly.
2. That Zoning Application 81-11, Baltic Bread Products Limited, owner, requesting a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District be refused for the following reasons:
 - (1) The application represents an undesirable intrusion of a commercial/industrial use into an established residential area, and could establish a precedent for future similar applications in the areas adjacent to Barton Street.
 - (2) The further expansion of this "Legal Non-conforming" industrial bakery merely prolongs the existence of the use at this location contrary to the intent of the Official Plan.
 - (3) The requested "H" zoning is not considered to be appropriate zoning for the proposed use.
 - (4) Intensification of the bakery use could generate a need for more parking facilities which appear to be in short supply in this area.
3. That Zoning Application 81-23, National Congress of Italian Canadians - Hamilton District, prospective owners, requesting a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "H" (Community Shopping and Commercial) District, to permit offices and associated club uses on property located at 168 Sherman Avenue North, being the former Sherman Avenue Police Station, be refused for the following reason:

It is considered that this site is inappropriate for use as a place of assembly, such as a club or banquet hall, because of the shortage of parking in the surrounding area.
4. (a) That approval be given to Application SA 80-08, Abbotsford Homes Limited, owner, to establish a draft plan of subdivision, Cardinal Heights Addition No.5, located in the area west of Upper Wentworth Street and north of Limeridge Road East, subject to the following conditions:
 - (1) that this approval apply to the plan prepared by A. J. Clarke and Associates, dated November 11, 1980, as revised in red to show:
 - i) 157 lots including relotting of lots 151-155 inclusive and blocks 158 and 159 for park purposes;
 - ii) Hummingbird Lane and Curlew Avenue established in full;

- iii) Pinewarbler Drive running straight north, ending in a court;
 - iv) Street name changes from Thresher Court to Pinewarbler Drive and the easterly portion of Pinewarbler Drive to Thresher Drive;
 - v) The Cul-de-sac at the end of Pinewarbler Drive squared with a frontage of 3 m, and,
 - vi) Deletion of Kingfisher Avenue.
- (2) That the road allowances shown on the approved copies of the draft plan be dedicated as public highways on the final plan.
 - (3) That the streets be named to the satisfaction of the Regional Municipality of Hamilton-Wentworth and the City of Hamilton.
 - (4) That the proposed subdivision conform with the restricted area by-law for the City of Hamilton approved by the Ontario Municipal Board under Section 35 of the Planning Act.
 - (5) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
 - (6) That the owner provide the City of Hamilton and the Region with a certified list showing the net area of each lot and block in the final plan.
 - (7) That all hydro utilities be installed underground.
 - (8) That dead ends and open sides of road allowances created by the plan be terminated in .5 m reserves and conveyed to the City of Hamilton.
 - (9) That the owner convey land in the amount of 5% of the land included in the plan to the municipality for park purposes pursuant to the provisions of Section 33(5)(a) of the Planning Act. The lands conveyed for park purposes include lands credited to the applicant in connection with the registration of M-294, Cardinal Heights Addition No.4, Phase 1.
 - (10) That the road allowance for Kingfisher Avenue, as shown on Plan P-1399 surveys, be conveyed to the City prior to the registration of the final plan for this development.
 - (11) That Pinwarbler Drive may be serviced by the utilization of a 10 m easement for municipal service along the north half of Curlew Avenue.
 - (12) That the owner install fencing to the specifications of the City of Hamilton between the parkland and abutting lots and blocks in the plan and that the cost of the fencing, including materials and installation be shared equally by the owner and the City.
 - (13) That the owner satisfy all requirements, financial and otherwise of the City of Hamilton.
- (b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect

to Application SA 80-08, "Cardinal Heights Addition No.5", draft plan of subdivision and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

5. (a) That approval be given to Application SA-79-12, Adisco Investments Limited, owner, to establish a draft plan of subdivision located in the area south of Limeridge Road East and north of the proposed alignment of the Mountain Expressway between Upper Wentworth and Upper Wellington Streets, as shown on the plans attached, subject to the following conditions and requirements:
- (1) That this approval apply to the revised plan, drawing Number S-5147-E, by MacKay, MacKay and Peters, dated May 19, 1981, showing 16 lots, revised in red to delete the proposed road widening in front of lots 14, 15, 16 and part of lot 13.
 - (2) That the owner make a cash payment in lieu of the conveyance of land in the amount of 5% of the land included in the plan to the municipality for park purposes.
 - (3) That appropriate maintenance easements be provided where necessary to allow for maintenance of "zero lot line" style dwellings.
 - (4) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority including a 15 m (50 ft) wide "berming" easement in favour of the Region along the south limit of the plan, abutting the proposed north limit of the freeway.
 - (5) That the surveyor provide the City with a list of the area and width of each lot on the final plan.
 - (6) That the City of Hamilton "Residential Standards to Control the Effects of Freeway Noise" apply to this subdivision.
 - (7) That the road allowance shown on the approved copies of the draft plan be dedicated as public highway on the final plan.
 - (8) That the streets be named to the satisfaction of the Regional Municipality of Hamilton-Wentworth and the City of Hamilton.
 - (9) That the proposed subdivision conform with the restricted area by-law for the City of Hamilton approved by the Ontario Municipal Board under Section 35 of the Planning Act.
 - (10) That all hydro utilities be installed underground.
 - (11) That the owner withdraw Land Severance Application H-20-80.
 - (12) That driveways for lots 4 and 13 to 16 inclusive be located to the satisfaction of the City of Hamilton Traffic Department.
 - (13) That the owner satisfy all requirements, financial and otherwise of the City of Hamilton.

- (b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the Owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to Application SA-79-12, "Donegel Heights" draft plan of subdivision located in the area south of Limeridge Road and north of the proposed alignment of the Mountain Expressway between Upper Wentworth and Upper Wellington Streets, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by the City Council.
- (c) That the Bruleville Neighbourhood Plan be amended to provide for the proposed road location.
6. That the City Solicitor be directed to prepare a by-law under Section 29(3) of The Planning Act, for approval by City Council, to designate Lots 1-42 inclusive, Lots 47-53 inclusive, Lots 62-64 inclusive, Lots 496-514 inclusive and Lot A of Registered Plan No.505 not to be part of a Registered Plan of Subdivision. Reference File No. P5-2-69M Industrial Sector "E".
7. That the Corporation of the City of Hamilton accept the following lands:
- o.5 metre reserve - Blocks 30 and 31 in connection with Templemean No.2 Survey (Phase 2) - SA-80-02 Phase 2
- Grantor: Edgemount Developments Limited
- That the Corporation of the City of Hamilton accept the sum of \$30,380.00 as a cash payment in lieu of 5% parkland dedication in connection with "Templemead No.2 Survey (Phase 2)" Final Plan of Subdivision (SA-80-02, Phase 2).
8. At its meeting held October 15, 1980, the Planning and Development Committee approved the concept of a competition for development of the Ryerson Site located in the Durand Neighbourhood on the east side of Queen Street South for Energy Efficient Multi-Family housing, and set up a sub-committee to carry out the mandate. As a result of the Board of Education's decision to sell the subject site and as it is imperative to have the site under public ownership for the purpose of the competition, the Planning and Development Committee recommends that City Council request the Board of Education for the City of Hamilton to retain title to the 1.8 acre former Ryerson School site and make final conveyance directly to the Design Contest winner or designate; the sale price and documentation to be subject to the Board's approval. That in the event the Board of Education should prove to be unable or unwilling to convey the parcel in the above manner, the site be conveyed to the City at a mutually agreeable price. This mutually agreed price is to be adjusted upon final open market sale of the subject lands to reflect excesses or deficiencies from the actual open market sale price so that neither the Board of Education nor the City of Hamilton receive cash benefit from the interim conveyance to the City. That in both cases the City of Hamilton shall absorb all in-house costs associated with the Design Competition, valuation, and conveyance of the lands.
9. That a Designation Agreement dated as of the 1st day of June, 1981, by and between Greater Hamilton Developers Limited, Fourth Phase Civic Square Limited, Yale Properties Limited and The Corporation of the City of Hamil-

ton, the form of which has been approved by the Corporation's counsel, Messrs. Fraser and Beatty, Barristers and Solicitors, whereby, inter alia, Greater Hamilton Developers Limited, pursuant to Section 3.01(b) of a Development Agreement dated the 3rd day of September, 1970 between the said The Corporation of the City of Hamilton, Greater Hamilton Developers Limited and Yale Properties Limited, as amended by an agreement dated November 25, 1970, as further amended by an agreement made as of November 7, 1972, as further amended by an agreement made as of the 14th day of November, 1975, as further amended by an agreement made as of the 7th day of July, 1978 and as further amended by an agreement made as of the 1st day of September, 1980, designates that the lease in respect of Part Four be granted to Fourth Phase Civic Square Limited and the rights and obligations of Greater Hamilton Developers Limited under and pursuant to the said Development Agreement as amended with respect to Phase Four be granted to Fourth Phase Civic Square Limited, be approved and that the Mayor and the City Clerk of The Corporation of the City of Hamilton be authorized and directed to execute the said Designation Agreement on behalf of The Corporation of the City of Hamilton, under the seal of the said Corporation, and to deliver the same and that the Corporation of the City of Hamilton and its proper officials be authorized and directed to do all things as may from time to time be necessary to implement the said Designation Agreement.

10. That an agreement dated as of the 1st day of June, 1981, between the Corporation of the City of Hamilton, Fourth Phase Civic Square Limited and Yale Properties Limited, the form of which has been approved by the Corporation's counsel, Messrs. Fraser & Beatty, Barristers and Solicitors, whereby, inter alia, Fourth Phase Civic Square Limited and Yale Properties Limited agree, pursuant to the provisions of Section 22 (9) of The Planning Act, R.S.O. 1970, Chapter 349, to keep and maintain the lands to be leased to Fourth Phase Civic Square Limited, as Lessee, by The Corporation of the City of Hamilton in conformity with the Redevelopment Plan entitled "Civic Square Urban Renewal Scheme, City of Hamilton, October, 1965" as amended by Addendum dated March 25, 1966, Addendum No.2 dated November, 1966, Addendum No.3 dated April, 1969, Addendum No.4 dated August, 1970, Addendum No.5 dated June, 1972, Addendum No.6 dated December, 1973, Addendum No.7, as revised, dated May, 1974, Addendum No.8 dated November, 1976 and by Addendum No.9 dated February, 1980, until a by-law or amending by-law passed under Section 35 of The Planning Act passed after the adoption of the said Redevelopment Plan as amended as aforesaid is in force in the redevelopment area, be approved and that the Mayor and City Clerk of The Corporation of the City of Hamilton be authorized and directed to execute on behalf of The Corporation of the City of Hamilton, under the seal of the said Corporation and to deliver the same and that The Corporation of the City of Hamilton and its proper officials be authorized and directed to do all things as may from time to time be necessary to implement the said agreement.
11. That a Consent to Mortgage dated as of the 1st day of June, 1981, by and between Fourth Phase Civic Square Limited, Royal Trust Corporation of Canada and The Corporation of the City of Hamilton, the form of which has been approved by the Corporation's counsel, Messrs. Fraser and Beatty, Barristers and Solicitors, whereby, inter alia, Fourth Phase Civic Square Limited be permitted to mortgage Phase Four as more particularly described in Schedule "A" to the Head Lease hereto annexed pursuant to its terms, be approved and that the Mayor and the City Clerk of The Corporation of the

City of Hamilton be authorized and directed to execute the said Consent to Mortgage on behalf of The Corporation of the City of Hamilton, under the seal of the said Corporation, and to deliver the same and that The Corporation of the City of Hamilton and its proper officials be authorized and directed to do all things as may from time to time be necessary to implement the said Consent to Mortgage.

12. That permission be granted to the Dundas Valley School of Art to use the land at the north-east corner of King Street West and Bay Street for a carnival from July 24th to July 26th, 1981 subject to the following conditions:
 - (a) The applicant to deposit with the City the sum of \$1,000.00 as a guarantee for clean up and repair of any damage which may be done to the grass.
 - (b) The applicant make satisfactory insurance arrangements to indemnify the City from any loss arising out of the granting of this permission.
 - (c) This permission is subject to these lands not being required by the City for development purposes.
 - (d) No fee be charged for the use of these lands.
13. Approval of the action of the Planning and Development Committee in authorizing the following additions to a Contract previously approved by City Council:
 - (a) Pigott Construction Ltd. re: Hamilton Convention Centre, for adjustments to the supply air system in the Banquet Hall in the total amount of \$3,125.92 in accordance with Change Order No.1096.
 - (b) Pigott Construction Ltd. re: Hamilton Convention Centre, for the provision of a power supply to the electrically operated roll door between the Banquet Hall and Room 338, including provision that the door will automatically close if the adjacent smoke detector is activated, in the total amount of \$2,240.79, in accordance with Change Order No.1098.
14. That the City Solicitor be authorized and directed to undertake the preparation of a By-law for the demolition of the buildings and the clearing of lands at 22 Barnesdale Avenue South pursuant to Subsection 21 of Section 36 of the Planning Act.
15. That the City Solicitor be authorized and directed to consolidate By-law 78-211 and to up-date all changes to the Inspector Staff appointed under the Building Code Act 1974.
16. That D. B. Savage Industrial Sales Limited be granted an extension of the construction commencement date to September 15, 1981 on Lot 12, in the Hamilton Mountain Industrial Park No.1 and to April 15, 1982 for the construction completion date.
17. Approval of the sale of Lot 27, Hamilton Mountain Industrial Park No.1 to Antonio Maoloni and Leandro Boin in the sum of \$41,305.00 be approved and

completed. A deposit cheque in the sum of \$4,130.00 is being held by the City Treasurer pending Council approval. This transaction includes special building covenants, agreements and restrictions as set out below, and it is understood and agreed that the Vendor, upon completion of this transaction, will pay a 5% real estate commission to Jack Dunn Real Estate Limited, whose agent Jack Dunn acted in this matter:

6.3 In consideration for the transfer of the hereinbefore described land to the transferee, in addition to payment of the sale price to the transferor, the transferee covenants and agrees to and with the transferor:

- 1) That the transferee shall commence construction of a building, having a minimum building area of 9,000 square feet upon the hereinbefore described land by not later than April 21st 1982. Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.
- 2) That the transferee shall complete construction of the said building by not later than April 21st, 1983. The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.
- 3) That no transfer of the hereinbefore described land shall be made by the transferee until The Corporation of the City of Hamilton confirms that covenants 1 and 2 have been complied with.
- 4) In the event that the transferee does not comply with covenants 1 and 2 or either of them by the dates set out therein the transferee covenants and agrees that the transferee shall sell the land to the transferor, free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the transferor, for the sale price herein (without any interest) - less (a) the deposit; (b) the commission paid (if any) by the transferor to a real estate agent; (c) arrears of realty taxes (including the local improvement charges) penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.
- 5) The said transferor as registered owner and the said transferee hereby apply to request and authorize the Land Registrar to have Notice of the covenants set out above entered on the register of the land being transferred herein to the said transferee.

6.4 The purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the vendor, its successors and assigns.

6.5 The purchaser agrees that the deed to him which he shall execute shall be subject to and include the restrictions, covenants and agreements in paragraph 6.3.

18. Approval of the sale of Lot 11, Hamilton Mountain Industrial Park No.1 to

Costas N. Rigatos and Chris Gotsopoulos in the sum of \$50,418.00 be approved and completed. Two deposit cheques each in the sum of \$2,520.50 for a total deposit of \$5,041.00 are being held by the City Treasurer pending Council approval. This transaction includes special building covenants, agreements and restrictions which are set out below which terms should be included in the Committee's resolution to City Council. In addition, the following clause should be included in the resolution to City Council and it is understood and agreed that the Vendor, upon completion of this transaction, will pay a 5% real estate commission to Canada Permanent Trust Company's Real Estate Department, whose agent, Nick Auger acted in this matter.

6.3 In consideration for the transfer of the hereinbefore described land to the transferee, in addition to payment of the sale price to the transferor, the transferee covenants and agrees to and with the transferor:

- 1) That the transferee shall commence construction of a building, having a minimum building area of 10,000 square feet upon the hereinbefore described land by not later than January 17, 1982. Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.
- 2) That the transferee shall complete construction of the said building by not later than January 17, 1983. The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.
- 3) That no transfer of the hereinbefore described land shall be made by the transferee until The Corporation of the City of Hamilton confirms that covenants 1 and 2 have been complied with.
- 4) In the event that the transferee does not comply with covenants 1 and 2 or either of them by the dates set out therein the transferee covenants and agrees that the transferee shall sell the land to the transferor, free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the transferor, for the sale price herein, (without any interest) - less (a) the deposit; (b) the commission paid (if any) by the transferor to a real estate agent; (c) arrears of realty taxes (including the local improvement charges) penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.
- 5) The said transferor as registered owner and the said transferee hereby apply to request and authorize the Land Registrar to have Notice of the covenants set out above entered on the register of the land being transferred herein to the said transferee.

6.4 The purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the vendor, its successors and assigns.

19. Approval of the Agreement by Owner to Accept Compensation between the City of Hamilton and McNab Realty Limited, Leo Barnett, Leo Barnett Wholesaler, Leo Barnett operating as Cut-Rate Shoe Stores, Leo Barnett operating as Leo Barnett and Co., Canada Shoe Company Limited, Canada Shoe Company Limited trading as Niagara Deep Massage Equipment Company and Niagara Comfort Cyclo Massage Equipment Company with respect to the purchase of all interests and claims exclusive of legal fees, appraisal fees and interest in the real estate known as 25, 27, 29 and 35 MacNab Street South and 26 Main Street West, for the sum of \$435,000.00.

It is understood and agreed that simple interest at a rate of 6% per annum is to be paid on the portion of the said \$435,000.00 that is in excess of the statutory compensation already paid, said excess being \$72,500.00, calculated from February 2, 1972 being the date of vacant possession to the closing date of this transaction.

This Agreement is subject to the approval of the Federal/Provincial Urban Renewal Partnership.

This property was required for the Lloyd D. Jackson Square Development.

20. Approval of the list of applicants submitted herewith and authorization for the Department of Community Development to process grants and/or loans in an amount not to exceed \$7,500.00 with the actual amount of grant or loan to be determined by inspection of the property under the Property Standards By-law 74-74 and pursuant to By-law 78-113.

That the officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Hamilton Rehabilitation Programme:

M. Sullivan
194 Ray Street North

L. Leblanc
78 Alandson Street

21. Approval of the list of applicants submitted herewith and authorization for the Department of Community Development to process grants and/or loans in an amount not to exceed \$7,500.00 with the actual amount of grant or loan to be determined by inspection of the property under the Property Standards By-law 74-74 and pursuant to the Housing Development Act Regulation 688/74.

That the officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme:

1. D. Haslip
187 Rodgers Road

3. A. Stewart
7 East 44th Street

2. J. Phillips
71 Longwood Road North

4. C. Bower
60 Robins Avenue

- | | |
|--|---|
| 5. A. DiRuscio
143 Cameron Avenue N. | 11. A. Hulley
21 Mayflower Avenue |
| 6. P. Enskaitas
34 Cline Avenue | 12. B. D'Ambrosia
118 West 33rd Street |
| 7. G. Grobb
123 Paling Avenue | 13. N. Ireland
29 Niagara Street |
| 8. J. Trowbridge
369 Paling Avenue | 14. B. Hopkins
457 East 36th Street |
| 9. G. Sherriff
1966 Main Street W. #603 | 15. M. Turay
276 Beechwood Avenue |
| 10. M. Boyko
114 Fairfield Avenue N. | 16. J. Hamilton
18 Russell Street |
22. That the City of Hamilton accept the offer of the Regional Municipality of Hamilton-Wentworth, respecting the transfer of the landfill site adjacent to Highway 403 in West Hamilton on the following conditions:-
- i) That the site be given final cover and grading by the Region while any landscaping topsoil and improvements to the property will become the responsibility of the Area Municipality.
 - ii) That any continuing debt or obligation against the property would be assumed by the Area Municipality.
 - iii) The Region will prepare these sites to meet Ministry of the Environment standards and requirements for closure and will provide monitoring services to the Area Municipalities without cost.
 - iv) The Region will provide environmental insurance protection for these sites on behalf of the Region and the Area Municipalities in which the sites are located.
23. That a snow fence be erected along the property line of 70 Century Street and the proposed permitted parking lot at an estimated cost of \$200.00, and that the Finance Committee be requested to recommend the method of financing.
24. That leave be granted to introduce the following Bills:-
- (a) Bill D-78 - By-law to amend By-law 81-115 respecting land located at Municipal No.876 Main Street East
 - (b) Bill D-79 - By-law to remove part of "Westbrook Gardens - Stage 2, Phase II" Registered Plan of Subdivision from part-lot control
 - (c) Bill D-80 - By-law to amend Zoning By-law No.6593 respecting the westerly 60 metres of the land located at Municipal No.947 Rymal Road East

- (d) Bill D-81 - By-law to amend Zoning By-law No.6593 respecting the renumbering of Section 13B(1) "G-2" (Regional Shopping Centres) District
- (e) Bill D-82 - By-law to amend Zoning By-law No.6593 respecting land located at Municipal No.247 John Street South
- (f) Bill D-83 - By-law to amend Zoning By-law No.6593 respecting land located at Municipal No.55 Sherman Avenue South
- (g) Bill D-84 - By-law to amend Zoning By-law No.6593 respecting land located in the Crown Point West Neighbourhood
- (h) Bill D-85 - By-law to amend Zoning By-law No.6593 respecting land located at Municipal No.292 East 24th Street
- (i) Bill D-86 - By-law to adopt Official Plan Amendment No.365 respecting land located at the south-west corner of Upper Gage Avenue and Stone Church Road East
- (j) Bill D-87 - By-law to amend Zoning By-law No.6593 respecting land located at the south-west corner of Upper Gage Avenue and Stone Church Road East
- (k) Bill D-88 - By-law to establish Site Plan Control respecting land located at the south-west corner of Upper Gage Avenue and Stone Church Road East
- (l) Bill D-89 - By-law to adopt Official Plan Amendment No.362 respecting land located on the east side of Hess Street North, between Barton Street West and Windsor Street
- (m) Bill D-90 - By-law to amend Zoning By-law No.6593 respecting land located at Municipal Nos.204 to 214 Hess Street North
- (n) Bill D-91 - By-law to adopt Official Plan Amendment No.363 respecting land located at Municipal No.481 West 5th Street
- (o) Bill D-92 - By-law to adopt Official Plan Amendment No.366 respecting land located at Municipal No.272 Rosslyn Avenue North
- (p) Bill D-93 - By-law to amend Zoning By-law No.6593 respecting land located at Municipal Nos. 102 Park Street North and 60 Vine Street
- (q) Bill D-94 - By-law to establish Site Plan Control respecting land located at Municipal Nos. 102 Park Street North and 60 Vine Street
- (r) Bill D-98 - By-law to amend Zoning By-law No.6593 respecting land located at Municipal No.481 West 5th Street
- (s) Bill D-99 - By-law to establish Site Plan Control respecting land located at Municipal No. 481 West 5th Street
- (t) Bill D-95 - By-law to lease a portion of Park Street north of King Street West in the City of Hamilton

- (u) Bill D-96 - By-law to lease a portion of Market Street east of Bay Street North in the City of Hamilton
- (w) Bill D-97 - By-law to approve and authorize the execution and delivery of a Lease dated as of the 1st day of June, 1981 between The Corporation of the City of Hamilton, as Lessor therein, Fourth Phase Civic Square Limited, as Lessee therein, and Yale Properties Limited, as Guarantor therein.

Respectfully submitted,

Alderman W. M. McCulloch,
Chairman

JDT:bg
June 17, 1981

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its THIRTEENTH Report and respectfully recommends:

TRAFFIC

1. That Schedule 25 (Parking Time Limits) of By-law 66-100 To Regulate Traffic be further amended by deleting from Section 8 (Two Hour Limit 8:00 a.m. - 6:00 p.m., Monday to Saturday) the following items, namely:

"Eastbourne Delaware	West North	Delaware to 118 feet north Eastbourne to 96 feet west".
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and by adding thereto the following item, namely:

"Glen	South	263 feet east of Macklin to 98 feet easterly".
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2. That Schedule 26 (No Parking Areas) be amended by deleting from Section A (No Parking Anytime) the following item, namely:

"Eastbourne	East	Delaware to 156 feet north".
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and by adding thereto the following items, namely:

"Harrisford St. Joseph's	East North	Greenhill to Albright 200 feet east of John to 30 feet easterly".
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3. That the application of Vincent Agro to lease a portion of the boulevard of Market Street, adjacent to No. 25 Hess Street North for parking purposes be approved during the pleasure of City Council provided:

(i) That the owner complies with the requirements as set out in the policy respecting using a portion of the road allowance for parking purposes.

(ii) That the approach and parking area be constructed in accordance with the submitted plan at the owner's expense.

(iii) That the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

(iv) That the applicant pay the annual fee as established by City Council plus taxes, in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.

4. That the application of The Canada Coach Lines Limited to lease a portion of the boulevard of Catharine Street, adjacent to No. 60 Catharine Street North for parking purposes be approved during the pleasure of City Council provided:

(i) That the owner complies with the requirements as set out in the policy respecting using a portion of the road allowance for parking purposes.

(ii) That the approach and parking area be constructed in accordance with the submitted plan at the owner's expense.

(iii) That the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

(iv) That the applicant pay the annual fee as established by City Council plus taxes, in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.

5. That the application of Louis DeMelo, Evangelina DeMelo, Joaquim Furtado and Maria Furtado to lease a portion of the boulevard of Robert Street, adjacent to No. 195 John Street North, for parking purposes be approved during the pleasure of City Council provided:

(i) That the owner complies with the requirements as set out in the policy respecting using a portion of the road allowance for parking purposes.

(ii) That the approach and parking area be constructed in accordance with the submitted plan at the owner's expense.

(iii) That the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

(iv) That the applicant pay the annual fee as established by City Council plus taxes, in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.

6. (a) That no further immediate study be given to the matter of traffic volumes within the Kentley Neighbourhood.

(b) That the Traffic Commissioner be directed to negotiate a revision to the Site Plan By-law for the Eastgate Square Development, which would permit an alteration in the operation of the Queenston Road driveway to the Eastgate Square Development.

(c) That truck route signs be clearly posted at the intersection of Queenston Road and Kenora Avenue and Centennial Parkway and Delawanna Drive.

SOLICITORS

7.(a) That the Corporation of the City of Hamilton as expropriating authority apply to the Council of The Corporation of the City of Hamilton as approving authority for approval to expropriate the following land for roadway and municipal purposes.

Firstly, part of 2794 King St. E., which is particularly shown on survey 62R-5638 as Parts 1, 2, 3, 4, 5, 6, 10 and 11. The land required has a frontage on the South side of King St. E. of 35.336 metres and a depth of 191 metres.

Secondly, a right-of-way 20 ft. wide extending between the said 2794 King St. E. across part of City property 2772 King St. E. which right-of-way is composed of the easterly 20 ft. of Part 8 on survey 62R-5638.

Thirdly, a parcel of land to the East of 2794 King St. E. which is particularly described on survey 62R-5638 as Part 12. The parcel required has an approximate frontage of 9 metres on King St. E. and an approximate depth of 58.9 metres.

Fourthly, part of 6 Webster Road which parcel is particularly described on survey 62R-5638 as Part 9. The parcel required is approximately 13 metres wide.

Fifthly, part of 2804 King St. E. which is particularly shown on survey 62R-5638 as Parts 13 and 14. Part 13 is a parcel of land required for the corner of the intersection of the new Greenhill Avenue with King St. E. and Part 14 is a parcel of land at the rear of 2804 King St. E. required for a portion of Vienna Street in the draft approved plan "Battleridge Subdivision".

Sixthly, a parcel of land at the rear of 2808 King St. E. which parcel is particularly shown on survey 62R-5638 as Part 15. This parcel is also required for a portion of the said Vienna Street.

(b) That the City Clerk be authorized and directed to:

(i) give Notice of the City's application to all owners, registered owners and tenants (as defined in The Expropriations Act) of the said lands;

(ii) advertise Notice of the City's application in a newspaper as required by The Expropriations Act;

(iii) sign and receive the said application for approval to expropriate.

REGIONAL ENGINEERING

8. Whereas City Council at its meeting held on 79 04 24 adopted a recommendation of the Planning and Development Committee that a Subdivision Agreement be entered into between the City and Corad Developments Limited as owner of the subject lands, and whereas estimates were provided for a plan of the

entire development consisting of 45 proposed lots and 10 future lots for residential purposes, and whereas the owner has now applied to proceed in phases with Phase 1 to consist of 12 residential lots with provisions for a further 6 lots to be established in conjunction with the development of abutting lands, it is therefore recommended:

(i) That Item 4 of the Twenty-fourth Report of the Traffic and Engineering Committee as adopted by City Council on 79 07 31 be rescinded.

(ii) That the submitted schedules for the estimated cost of services be approved for inclusion in the proposed Subdivision Agreement.

(iii) That the City's share of the cost of development for this subdivision be charged to the Reserve for Services Through Unsubdivided Lands, Account no. 0280-12.

<u>Type of Work</u>	<u>Amount</u>
Sewers (Catch Basins)	\$ 2,601.00
Sidewalks	6,229.00
Finished Roads	<u>14,689.00</u>
TOTAL	\$ 23,519.00

(iv) That the approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered.

(v) That in the event the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for pre-servicing.

9. That the application of from Roy, Goddard and Buchanan, Solicitors on behalf of the owners of 24 Hess Street South, to utilize 55.74m² (600 ft.²) of the boulevard on Hess Street South for the purpose of an outdoor patio, said area to extend 12.19 m (40 feet) for a maximum depth of 4.57 m (15 feet) be approved during the pleasure of Council provided:

(i) That the owners prepare an indemnification agreement, satisfactory to the City Solicitor and the Regional Commissioner of Engineering to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

(ii) That an annual fee of \$1080.00 which has been recommended by the Real Estate Department plus applicable taxes be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution, in addition to the \$25.00 annual fee to be charged to the owner for encroachment insurance satisfactory to the City Solicitor.

10 That the application of Beston Home Construction on behalf of Mr. H. Turner, owner of 201 Robinson Street for permission to enter into an Encroachment Agreement with the City be approved, provided:

(i) That he enter into an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

(ii) That an annual fee of \$10.00 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of resolution, in addition to the \$25.00 annual fee to be charged to the owners for encroachment insurance.

11. Whereas a paving agreement was entered into by the City of Hamilton and Lucille Investments, owners of Unit 56-120 Quigley Road, Registered on 76 09 03 as Instrument No. 47826 L.T. and whereas an agreement is no longer required due to a change in the Streets By-Law, we recommend:

(i) That the City Solicitor be directed to prepare a discharge of the agreement.

(ii) That the Mayor and City Clerk be authorized to execute the discharge.

12.(i) That the Regional Commissioner of Engineering be authorized to acquire the lands shown outlined on plan No. H-037 at an estimated cost of \$3100 and that this cost be financed from Account #0280-12 Services Through Unsubdivided Lands.

(ii) That the City Solicitor be directed to prepare and submit to Council a by-law under Section 443(i) of The Municipal Act to establish the required lands as a public highway.

(iii) That the City Surveyor be authorized and directed to prepare the necessary plan.

(iv) That the Regional Commissioner of Engineering be authorized on completion of the necessary documents to advertise this project pursuant to The Municipal Act and to prepare the necessary roadway alteration by-law.

(v) That the Regional Commissioner of Engineering be authorized upon approval of the by-law to construct the intersection of Horning Drive, Elmira Drive and Upper Horning Road and realign Upper Horning Road as required at an estimated cost of \$24,000. These costs to be financed from the City's share for the local improvement on Upper Horning Road from Mohawk Road to 311 m southerly.

NOTE: Upper Horning Road will be constructed this year as a finished roadway from Mohawk Road southerly to the intersection of Elmira Drive and Horning Drive. Upper Horning was originally intended to terminate at Horning Drive. Upper Horning Road is now proposed as a cul-de-sac at the north limit of the future Mountain Freeway but until the Freeway is developed it will remain open to Stone Church Road. In the interim, the intersection of Horning Drive, Elmira Drive and Upper Horning Road will not be a desirable one due to the alignment of the intersection and the poor sight lines. This intersection could be greatly improved with the modifications as shown on Plan No. H-037. In order to implement these changes, it would be necessary to acquire the lands as outlined on the plan.

It will be necessary to shift the alignment of Upper Horning Road to the west to permit the construction of a pathway on the east side of Upper Horning to connect with the existing sidewalks to the south.

CITY ENGINEERING

13. That City Council affirm the action of the Transport and Environment Committee in approving Change Order No. 1 to Contract E-81-1(EL) in the amount of \$18,840.00 in favour of Sanders Electric Ltd.

PURCHASING

14. That the recommendation of the Director of Purchases respecting the following, be approved:

- (a) Fortran Traffic Systems Ltd. - For the supply and delivery of Five (5) Traffic Actuated Controllers, in accordance with specifications issued by the Director of Purchases and Vendor's Tender for the sum of \$37,630.00. Ontario Sales Tax Exempt.

Note: Lowest of 5 tenders.

- (b) Babcock Allatt Ltd. - For the supply and delivery of One (1) Babcock Allatt Model #SG100 Grader, in accordance with specifications issued by the Director of Purchases and Vendor's Tender for the total sum of \$52,338.00. Ontario Sales Tax Exempt.

Note: Lowest acceptable tender.

- (c) Bruyns Pumping Service - Supply & Application of approximately 50,000 gallons of used oil on City streets in accordance with specifications issued by the Director of Purchases and Vendor's Tender at \$.48 Per Gal. Ontario Sales Tax Exempt. Ontario Sales Tax Exempt. Total estimated contract \$24,000.00.

Note: Lowest of 3 tenders.

- (d) Ametron Ltd. - Supply and delivery of Eight (8) Automatic Traffic Counters. Complete in accordance with specifications issued by the Director of Purchases and Vendor's Tender for the sum of \$18,858.75. All charges included.

Note: Lower of 2 tenders.

- (e) CHM Equipment Ltd. - One (1) Walkie Lift Truck ...\$12,231.71.
F.O.B. Brampton, Ontario; all other charges included.

Note: Lowest of 6 quotations.

- (f) J. J. MacKay Canada Ltd. - 40 Duncan V.I.P. M70 Parking Meters complete with Mechanisms at \$392.28 Each\$15,691.20
-70 Duncan V.I.P. M70 Parking Meters less Mechanisms
at \$301.56 Each\$21,109.20
\$36,800.40

Ontario Sales Tax Exempt.

Note: Only Supplier.

- (g) International Harvester Ltd. - For the supply and delivery of One (1) International Co-1850 Truck Chassis with Bituminous Distributor Mounted, in accordance with specifications issued by the Director of Purchases and Vendor's Tender for the total sum of \$54,337.42. Ontario Retail Sales Tax Exempt.

Note: Lower of 2 tenders

- (h) GTE Sylvania Canada - Supply and delivery of Aluminum Traffic Signal Poles and associated hardware in accordance with specifications issued by the Director of Purchases and Vendor's Tender for \$27,785.70. Ontario Sales Tax Exempt.

Note: Lowest of 4 tenders.

REAL ESTATE

15. (i) That the City of Hamilton accept the deed from the Region for Parts 5,9,10 and 11 on Plan 62R-5784, being lands received to establish a public walkway in the McAnulty/Ottawa Street North area.

(ii) That the City Solicitor be directed to prepare and submit to Council a by-law under Section 443 (1) of The Municipal Act to establish Parts 5,9,10 and 11 as a public highway and to designate all of the said highway as a footpath under Section 453(4).

(iii) That prior to passage of the by-law, the City Solicitor make application to the Minister of Housing for approval of the by-law under Section 450(2), as amended, of The Municipal Act, and advising the Minister that the Corporation will be responsible for all construction costs involved and that there is no M.T.C. subsidy.

(iv) That the above transactions to take place after Hampton Avenue has been officially closed by application to the County Court Judge.

16. That the sale of land on the north side of York Street bounded by Oxford and Ray Streets containing 22,886 square feet, more or less, to The Governing Council of the Salvation Army, Canada East, for the sum of \$250,930.00 be completed.

Note: Said lands to be developed by the Salvation Army as a commercial facility subject to site plan control and be credited to account number 0411-611506. A deposit cheque in the amount of \$25,123.00 is being held by the Treasury Department.

17. That City Council approve, subject to Ministry approval, the request from Glanford Helicopter Services Ltd. to lease 60,000 square feet of land at Hamilton Civic Airport, for the construction of a building and landing upon, at an annual rental of \$3,000.00 plus taxes, on a two year lease commencing on the date of the start of construction.

18. That Council approve a request from Mr. P. A. Aicken to lease 59 acres of land at the Hamilton Civic Airport for farming purposes.

Note: The rental will be \$10.00 per acre per year plus taxes for a period of one year commencing June 1, 1981.

19. That City Council approve the leasing of the City owned land measuring 58' X 50' at the rear of 432 Quigley Road to Dave Cartlidge be approved and that the Mayor and City Clerk be authorized to execute subject lease.

Note: The lease to be on an annual basis at a rental of \$1.00 per year plus taxes, commencing on the first day of the month following City Council approval. A \$1.00 cash deposit for the first year's rent has been deposited with the City Treasurer under Receipt No. L206297.

BY-LAWS

20. That leave be granted to introduce the following bills:

- (a) Bill No. E56 - By-law to widen and extend Ravenbury Drive by incorporating a 1' reserve, Block "CX", Plan M-200.
- (b) Bill No. E57 - By-law to extend Crystal Court by incorporating a 1' reserve, Block "I", Plan M-37.
- (c) Bill No. E58 - By-law to extend Berkindale Drive by incorporating a 1' reserve, Block "J", Plan M-37.
- (d) Bill No. E59 - By-law to authorize:
 - (i) the construction of local improvements without petition under section 12 of the Local Improvement Act on Limeridge Road East, Hempstead Drive, Lancing Drive, Unsworth Drive, and Upper Sherman Avenue.
 - (ii) The special assessment to pay a portion of the cost of the works by the abutting owners.
 - (iii) The preparation of plans, specifications and reports and the supervision of the construction by the Regional Commissioner of Engineering.
- (e) Bill No. E60 - By-law to widen Lake Avenue, Barton Street to Curtis Street.
- (f) Bill No. E61 - By-law to authorize:
 - (i) The construction of local improvements without petition under Section 12 of the Local Improvement Act on Grace Avenue, Simcoe Street, and in the block bounded by Cannon Street East, Adams Street, Wentworth Street North and Wilson Street.

- (ii) The special assessment to pay a portion of the cost of the works by the abutting owners.
 - (iii) The preparation of plans, specifications and reports and the supervision of the construction by the Regional Commissioner of Engineering.
- (g) Bill No. E62 - By-law to amend By-law No. 66-100 To Regulate Traffic.

Respectfully Submitted

Alderman F. Lombardo, Chairman

R. C. Prowse
Secretary

June 17, 1981

F

REPORT OF THE PERSONNEL COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its NINTH Report for 1981 and respectfully recommends:

1. Approval of the action of the Personnel Committee in awarding the following contract:

- a) ALPHA ULTRASONIC CO. LTD., Burlington, Ontario.

Repairs and Non Destructive Testing of	
Fire Department Aerial Truck #112	\$13,871.00

Note: Only supplier.

RESPECTFULLY SUBMITTED,

ALDERMAN P. DRAGE,
CHAIRMAN
PERSONNEL COMMITTEE

G. W. McMillan,
Secretary
June 10, 1981

REPORT OF THE PERSONNEL COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its TENTH Report for 1981 and respectfully recommends:

1. Approval of the attached Memorandum of Agreement dated June 17, 1981 between the Corporation of the City of Hamilton and the Bargaining Committee of the Hamilton Firefighters Association, Local 288, International Association of Firefighters.
2. Approval of the attached Memorandum of Agreement (Schedule "A") between the Hand Association of Sewer, Watermain and Road Contractors and Local 793, International Union of Operating Engineers.
3.
 - a) That the position of Supervisor - City Garage, Salary Schedule 115, \$20,690.80, \$21,623.68, \$22,596.60, \$23,613.20, \$24,676.08 per annum, be deleted from the Salary Schedule for Non-Union Positions (Excluding Department Heads and Deputies).
 - b) That the position of Supervisor - City Garage, be established in Salary Schedule K, \$21,042.84, \$21,989.76, \$22,980.88, \$24,013.08, \$25,094.16 per annum, of the Department Heads and Deputies.
 - c) That Mr. T. Durney, Supervisor, City Garage, presently paid \$24,676.08 per annum, in Salary Schedule 115, be paid \$25,094.16 per annum, the maximum of Salary Schedule K, effective May 18, 1981.
 - d) That Mr. Durney report to the City Treasurer, and through him to Council.
 - e) That a review of the appropriate reporting area, and of the proper Salary Schedule for the position of Supervisor - City Garage be made at the time of Mr. Durney's retirement.

RESPECTFULLY SUBMITTED,

ALDERMAN P. DRAGE, CHAIRMAN
PERSONNEL COMMITTEE

G. W. McMillan,
Secretary
June 19, 1981

Refer to Section 1 of the Tenth Report of the Personnel Committee.

This Memorandum of Agreement made this 17th day of June, 1981

BETWEEN THE NEGOTIATING COMMITTEES OF:

THE CORPORATION OF THE CITY OF HAMILTON

- and -

**THE BARGAINING COMMITTEE OF THE HAMILTON
FIREFIGHTERS ASSOCIATION, LOCAL 288,
INTERNATIONAL ASSOCIATION OF FIREFIGHTERS**

- I. The parties herein agree to the terms of the Memorandum as constituting full settlement of all matters at issue between the parties.
- II. The undersigned representatives of the parties agree to recommend unanimous acceptance of all the terms of this Memorandum to their respective principals.
- III. The parties herein agree that the term of the Collective Agreement shall be January 1, 1981 to December 31, 1982.
- IV. The parties herein agree that the said Collective Agreement shall include the terms of the Collective Agreement covering the period from January 1, 1980 to December 31, 1980, dated November 21, 1980, together with the following amendments and provisions.
- V. The Collective Agreement shall be amended in accordance with the following and such amendments shall become effective upon ratification by both parties whose proper officers have appended their signatures hereto, save and except where this Memorandum of Agreement specifically provides otherwise.

The following are the amendments referred to in Item V above.

(1) Article 4 - HOURS OF EMPLOYMENT

(a) Add new clause to be worded as follows:

- 4.7 An employee who is required to work or to be on duty in excess of his or her regular scheduled hours of work that is in excess of 30 minutes, shall be paid at the rate of time and one-half ($1\frac{1}{2}X$) for such overtime work or duty. Payment shall be made twice yearly on the closest pay day to the 30th of June and on the closest pay day to the 31st of December in any year. Such overtime shall include Court Time.

(2) Article 6 - ANNUAL VACATIONS

(a) Effective January 1, 1981, amend article to make provision for the following amendments:

- (i) All reference to January 1st shall be deleted and vacations granted on aggregate credited service in the year in which the employee completes the qualifying period for vacations

- (ii) 25 years of service - 5 weeks and 4 days thereafter
26 years of service 6 weeks and thereafter

(a) Article 7 to be amended in accordance with Article 6 above.

(a) Members of Local 288, I.A.F.F. shall be allowed to purchase War Service on an employee-employer shared basis under the following conditions:

- (i) The member of Local 288 purchasing war service was a member of Local 288 on active service as of January 1, 1981.
- (ii) The member of Local 288 must have at least 25 years continuous service with the Corporation as of the date of ratification of this memorandum of agreement.
- (iii) The member of Local 288 purchasing war service may only purchase that portion of time to his credit for war service that constitutes the difference between his years of pension service at his normal retirement at age 60 and 35 years of pension service.
- (iv) The member of Local 288 purchasing war service must exercise his option to purchase such service within 1 year of the date of ratification of this memorandum of agreement by the parties.

F.4

(b) Relative to the Association's request for:

"A widow's or widower's benefit to include: That on the death of a member before or after retirement, a pension payable to his or her surviving spouse, equal to 50% of the pension which the member was receiving or had earned at the date of death, plus 10% of such members pension for each child under the age of 21, to a maximum total pension of 75% subject to the usual conditions and the same as section #14, Ontario Regulation 936, The Ontario Municipal Employees Retirement System Act."

it is agreed that should the H.M.R.F. Plan be merged with the O.M.E.R.S. Plan in 1981 the above request will be granted to members of Local 288 in the H.M.R.F. Plan effective the date of merging of the two plans.

If such merger does not occur in 1981, the above noted request will be a negotiable matter in 1982.

(5) Article 12 - LEAVE OF ABSENCE

- (a) Article 12.3 shall be amended to include a three-day leave of absence without loss of pay for attending the burial of a step-child.
- (b) Article 12.3 shall be amended further to allow for a one-day leave of absence without loss of pay for attending the burial of a Grandparent, Grandchild, Brother-in-law, Sister-in-law.

(6) Article 15 - GRIEVANCE PROCEDURE

- (a) Amend Article to read as follows:

15.1 The duly elected or appointed Bargaining Committee of the Association will act in all matters of grievance by the members of the Association.

15.2 Grievances shall be proceeded in the following manner:

- (i) First Step:

The employee alone, or the Bargaining Committee on behalf of the employee, or on behalf of the Association (if in the opinion of the Bargaining Committee the matter in dispute has general application), may within fifteen (15) working days of the origin of the grievance, submit the grievance in writing to the Fire Chief or his designate. The Fire Chief and/or his designate shall meet with the employee alone, or the Bargaining Committee to discuss the grievance. If the parties are unable to settle the grievance, the Fire Chief and/or his designate will state in writing within seven (7) working days of the presentation of the grievance, the reason or reasons for the denial of the grievance.

(ii) Second Step:

Failing a satisfactory settlement in the first step, the Chairman of the Bargaining Committee shall within ten (10) working days of receipt of the decision of the Fire Chief, present the grievance in writing to the Director of Personnel for the consideration of the Chief Administrative Officer, who in conjunction with the Director of Personnel shall meet with the Bargaining Committee within ten (10) working days following the receipt of the grievance in an effort to bring about a prompt and satisfactory settlement. The Director of Personnel shall report, in writing, within ten (10) working days of the said meeting to the Association. In the event the Director of Personnel denies the grievance, he shall state the reasons in writing.

- 15.3 The time limits as set out in Article 15 - Grievance Procedure, may be extended at any time by mutual agreement of the parties.
- 15.4 A grievance under this agreement shall include any matter which may be submitted to arbitration under Section 7(5) of the Fire Department's Act, R.S.O., 1970, Chapter 25 and amendments thereto. A claim by an employee that he has been unjustly discharged or disciplined, shall be included and considered as a grievance under this Agreement, whether or not there is a hearing before a Committee of Council pursuant to Section 4 of the Fire Department's Act, R.S.O. 1970, Chapter 25, and amendments thereto, or under by-law 68-34 of the Corporation of the City of Hamilton.
- 15.5 The time limits for submitting a grievance over discharge or discipline shall not originate until the Committee of the Corporation if so requested has made a final decision in writing with respect to any appeal or hearing to it, over discipline or discharge. If there is no hearing or appeal before a Committee of the Corporation, the grievance over discharge or discipline shall originate within fifteen (15) working days after the date of his last employment with the Corporation in the case of discharge, or fifteen (15) days of discipline received in the case of discipline.
- 15.6 If an employee is discharged, he shall have his grievance processed at the second step of the grievance procedure.
- 15.7 A grievance over discharge or discipline can be settled by reinstating the employee without loss of pay or seniority or any other benefits or by any other arrangement which is just and equitable in the opinion of the conferring parties or an arbitrator or arbitration board.
- 15.8 In the case of discharge and/or discipline, the Chief or his

designate shall notify the Association in writing, immediately, giving the reasons for discharge or discipline.

(7) Add the following New Article:

(a) TECHNOLOGICAL CHANGE

- (i) The Association agrees that the employer has the right to study or introduce new or improved methods or facilities. Not less than ninety (90) days prior to the introduction or implementation of substantial technological change affecting employees, the Corporation shall, by written notice, furnish the Association with all information in its possession of the planned change or changes. Such notice shall contain the information known to the Corporation respecting (a) the nature and degree of change, (b) the date or dates on which the Corporation plans to effect the change, (c) the location or locations involved.
- (ii) As soon as reasonably practicable after the foregoing notice has been given, the Corporation will make disclosure to the Association of the Corporation's knowledge as to the effects of the change or changes on each classification of employee. Such disclosure will contain all relevant data in the possession of the Corporation and shall be supplemented by any additional information reasonably requested by the Association which is in the possession of the Corporation.
- (iii) Following the said disclosure, representatives of the parties will meet for the purpose of engaging in discussions with a view to resolving any issue which may concern the employment status of any employee.
- (iv) Without mutual agreement, no employee covered by this agreement shall suffer loss of employment as a result of the exercise by the Corporation of its right to introduce or implement substantial technological change, provided the said employee was in the employ of the Corporation at the time the aforementioned notice was given by the Corporation.
- (v) The words "technological change" in this Article mean (a) the introduction by the Corporation of equipment or material of a different nature or kind than that previously utilized; and (b) a change in the manner in which the Corporation carries on its work and undertaking that is directly related to the introduction of that equipment or material.

(8) Add the following New Article:

(a) DISCIPLINE

An employee who has been warned or suspended for reasons other than irregular attendance and who maintains a clear record for a period of two (2) years following his last warning or suspension, any

such warning or suspension heretofore recorded on the employee's record shall be null and void except where such warnings and suspensions are caused by irregular attendance. Employee's shall have access to their history card by simply calling the Personnel Department and requesting to do so at any time.

- (9) Schedule "A" be amended to read:

Firefighter I, 4th year
 Fire Communications Operator I, 4th year
 Fire Inspector I, 4th year
 Storekeeper I, 4th year

Firefighter II, 3rd year	90% of Firefighter I rate
Fire Communications Operator II,	
3rd year	"
Fire Inspector II, 3rd year	"
Storekeeper II, 3rd year	"

Firefighter III, after	
12 months	80% of Firefighter I rate
Fire Communications Operator III,	
after 12 months	"
Fire Inspector III, after	
12 months	"
Storekeeper III, after	
12 months	"

Probationary Firefighter,	
1st 12 months	70% of Firefighter I rate
Probationary Fire Communications	
Operator, 1st 12 months	"
Probationary Fire Inspector	
1st 12 months	"
Probationary Storekeeper	
1st 12 months	"

- (10) Amend Schedule "B" to increase the cleaning allowance of \$25.00 per year as it presently reads, to read \$50.00 per year in the year 1981 and \$60.00 per year in the year 1982.

- (11) Amend Schedule "C" to read:

(a) C 2

- (i) Promotions from the rank of Probationary Firefighter, Probationary Fire Inspector, Probationary Fire Communications Operator, Probationary Storekeeper to the rank of Firefighter III, Fire Inspector III, Fire Communications Operator III, Storekeeper III, shall only be made after written, oral, and practical

tests have been passed prior to such promotion.

- (ii) Promotions from the rank of Firefighter III, Fire Inspector III, Fire Communications Operator III, Storekeeper III, to Firefighter II, Fire Inspector II, Fire Communications Operator II, Storekeeper II, shall only be made after written, oral, and practical tests have been passed prior to such promotion.
 - (iii) (new) Promotions from the rank of Firefighter II, Fire Inspector II, Fire Communications Operator II, and Storekeeper II, to the rank of Firefighter I, Fire Inspector I, Fire Communications Operator I, and Storekeeper I, shall only be made after written, oral, and practical tests have been passed prior to such promotion.
 - (iv) (present iii renumbered)
- (b) C 3

Section C 3 shall be amended to provide for persons qualified for the rank of Acting Lieutenant to requalify at intervals of 4 years. Notification of requalifying examinations shall be given 6 months prior to the setting of such examinations and shall commence in 1982 for those persons who qualified in 1978.

(12) WAGES

- (a) A general increase of 9.5% to all ranks in the bargaining unit effective January 1st, 1981
- (b) A general increase of 5.5% to all ranks in the bargaining unit effective July 1st, 1981
- (c) A general increase of 10% to all ranks in the bargaining unit effective January 1st, 1982

ENTERED INTO THIS 17th day of *June*, 1981 on BEHALF OF:

THE CORPORATION OF THE
CITY OF HAMILTON

William Powell

James

Edgar Pearson

THE HAMILTON PROFESSIONAL
FIREFIGHTERS ASSOCIATION, LOCAL 288,
INTERNATIONAL ASSOCIATION OF
FIREFIGHTERS

John Hargrave

Lawrence Staples

Wm. Aitken

Rodger Carnegie

Hamilton Professional Fire Fighters Association

Local - 288 International Association of Fire Fighters

President

John Hargrove

Treasurer

Bill Aitken



Affiliated with

Ontario Professional

Fire Fighters Association

The Canadian Labour Congress

Secretary

Larry Staples
19 Laurier Avenue,
Hamilton, Ontario.
388-3341



June 17th, 1981

Mr. A. Gillespie, Personnel Director
City Hall,
71 Main Street West,
Hamilton, Ontario.

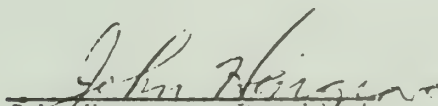
LETTER OF INTENT

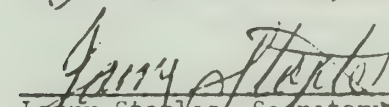
Dear Sir:

The Negotiating Committee of Local 288 I.A.F.F. hereby agree that the following clause be appended to the Collective Agreement.

" ALL NEW EMPLOYEES SHALL SERVE A PROBATIONARY PERIOD OF TWELVE MONTHS "

Yours truly,


John Hargrove, President


Larry Staples, Secretary

F.11

MAKE EVERY WEEK - "FIRE PREVENTION WEEK"

Refer to Section 2 of the Tenth Report of the Personnel Committee.

SCHEDULE "A"

THIS SCHEDULE APPLIES TO ROAD WORK

When a project is a mixed or of combination nature involving sewer and/or watermain and road work, the line of demarcation between the two facets of work, sewer and/or watermain and road building will be determined by the following formula:-

Excavating for pipe, pipe laying, backfilling of pipe excavation and compaction to subgrade shall be governed by Schedule "B"

Wages & Classifications

	<u>July 1/80</u>	<u>Oct. 1/80</u>	<u>May 1/81</u>	<u>Oct. 1/81</u>
1. Shovels, backhoes, draglines, gradalls, clams (on site)	\$11.55	\$11.70	\$12.45	\$12.55
2. Clams (yard operation), Mechanics, Welders	\$11.30	\$11.45	\$12.20	\$12.30
3. Grader Operator "A"	\$11.15	\$11.30	\$12.05	\$12.15
4. Pitman Type (Hydra-Lift Truck-Mounted Hydraulic Crane) Operator	\$11.10	\$11.25	\$12.00	\$12.10
5. Bulldozer Operators (D-4 or equivalent or over), front-end loader operators (1 cu. yd. and over), Scrapers -self-propelled	\$10.95	\$11.10	\$11.85	\$11.95
6. Mixer Man on Asphalt Plant	\$10.90	\$11.05	\$11.80	\$11.90
7. Concrete Paver Operators (over 1 cu. yd.), Asphalt Planer Operators	\$10.85	\$11.00	\$11.75	\$11.85
8. Engineers on boilers (with papers)	\$10.83	\$10.98	\$11.73	\$11.83
9. Bulldozer Operators (6-way blade under D-4 or equivalent)	\$10.75	\$10.90	\$11.65	\$11.75
10. Farm and Industrial Type Tractor Operators with excavating attachments, Grader Operator "B", Asphalt Rollermen, Concrete Paver Operators (up to and incl. 1 cu. yd.), Concrete Curb Machine Operator, Asphalt Spreader Operators (self-propelled)	\$10.70	\$10.85	\$11.60	\$11.70

Schedule "A" - continued
Wages & Classifications

	<u>July 1/80</u>	<u>Oct. 1/80</u>	<u>May 1/81</u>	<u>Oct. 1/81</u>
11. Boiler Fireman - without papers, Burnermen on Asphalt Plant	\$10.65	\$10.80	\$11.55	\$11.65
12. Roller Operator (Asphalt) "B"	\$10.35	\$10.50	\$11.25	\$11.35
13. Bulldozer Operators (under D-4 or equivalent), front-end loader (under 1 cu. yd.)	\$10.25	\$10.40	\$11.15	\$11.25
14. Farm and Industrial Type Tractor (towing compaction units), Grade Rollermen, including self-propelled rubber-tired rollers	\$10.10	\$10.25	\$11.00	\$11.10

SCHEDULE "B"

THIS SCHEDULE APPLIES TO "OPEN-CUT" WORK FOR SEWER AND WATERMAIN CONSTRUCTION

"Open-cut" work for sewer and watermain is defined as all sewer and watermain work outside the property line; of all Industrial, Commercial and Institutional Construction. This shall include sewer and watermain work on residential subdivision work but shall not include site preparation if tendered as a separate contract.

Wages & Classifications

	<u>July 1/80</u>	<u>Apr.1/81</u>
1. Engineers operating cranes, clams, shovels, backhoes, derricks, piledrivers, gradalls, mobile cranes, caisson boring machines 25 HP and over, side booms and similar equipment	\$12.05	\$12.90
2. Operators of bulldozers, tractors, scrapers, emcos, graders, overhead loaders 1 cu. yd. and over, or similar equipment, including D-4 and over, farm and industrial tractors with excavating attachments, trenching machines, caisson boring machines under 25 HP.	\$11.45	\$12.30
3. Operators of Pitman Type Crane (Hydra-Lift Truck-Mounted Hydraulic)	\$11.75	\$12.60
4. Heavy Duty Field Mechanics & Equipment Repair Welders	\$11.80	\$12.65
5. Operators of bulldozers, front-end loaders under 1 cu. yd., tractors and similar equipment below D-4 or equivalent.	\$11.35	\$12.20
6. Oilers, greasers, mechanics' helpers.		
Third Year	\$10.55	\$11.40
Second Year	\$ 9.55	\$10.40
First Year	\$ 8.55	\$ 9.40
7. Servicemen on shovels, compressors, pumps and self-propelled rollers; boom truck drivers; Operators of 5 or more heaters	\$10.95	\$11.80

SCHEDULE "C"

A Schedule applying to Tunnel Work, which is to be interpreted to mean a project called as a Tunnel and does not include Tunnel work which is incidental to Open Cut Work, for Sewer and Watermain Construction.

Wages & Classifications

	<u>July 1/80</u>	<u>Apr. 1/81</u>
1. Engineers operating all hoists hoisting materials out of shafts, tuggers, and derricks with lifting capacity over 2,000 pounds, compressor house set-up man	\$12.05	\$12.90
2. Heavy Duty Field Mechanics	\$11.80	\$12.65
3. Engineers operating shaft hoist, tuggers and derricks, 2,000 pounds or less, compressor operators 500 CFM or over	\$11.70	\$12.55

PREMIUM RATES IN COMPRESSED AIR

Air Pressure

1 to 14 lbs.
15 to 20 lbs.
21 lbs.
Over 21 lbs.

Premium for Shift

\$12.00
\$16.00
\$20.00
\$1.00 per lb. over and above
the rate for 21 lbs.

SCHEDULE "D"

This Schedule applies to all Industrial, Commercial and Institutional Construction and also includes Equipment Rental and all Heavy Construction which is defined as all construction, reconstruction, repair, alteration, remodelling, renovation or demolition of any building, bridge, retaining wall, box culverts, open-cut tunnel work or any other structure and all excavation, site preparation, sewer and watermain within the property line. This shall also include dockwork and dams of any nature.

For all of the work performed in connection with the above, the Provincial Agreement between the Employer Bargaining agency and the International Union of Operating Engineers, Local 793 shall apply in its entirety, a copy of which is attached.

N.B.- Schedule "D" applies to Schedule "H" of the Ontario agreement between the Operating Engineers Employer Bargaining Agency and the Operating Engineers Employee Bargaining Agency, passed by City Council November 1, 1980.

The Vacation Pay for each Schedule shall be 9% of Gross Wages Earned.

Welfare Plan - 60¢ per hour effective October 1, 1980
 70¢ per hour effective October 1, 1981

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